

**Board of Commissioners**

Office: (541) 766-6800

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4500 SW Research Way
Corvallis, OR 97330

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AGENDA*(Chair May Alter the Agenda)***BENTON COUNTY BOARD OF COMMISSIONERS****Tuesday, November 29, 2022, 9 AM**

How to Participate in the Board of Commissioners Meeting			
In-Person	Zoom Video	Zoom Phone Audio	Facebook LiveStream
Kalapuya Building 4500 Research Way Corvallis, OR	Click for Zoom link	Dial 1(253) 215-8782	Click for Facebook LiveStream link
	Zoom Meeting ID: 850 2090 6496		
	Zoom Passcode: 780256		

1. Opening

- 1.1 Call to Order
- 1.2 Introductions
- 1.3 Announcements

2. Review and Approve Agenda**3. Comments from the Public**

Time restrictions may be imposed on public comment, dependent on the business before the Board of Commissioners. Individual comment may be limited to three minutes.

4. Work Session

- 4.1 (15 minutes) – Discussion Regarding Amending Benton County Code, Chapter 2, to Replace the Contract Appeal Process – *Gary Stockhoff, Director of Public Works*
- 4.2 (30 minutes) – Update from Oregon Cascades West Council of Governments – *Ryan Vogt, Executive Director, Alicia Lucke, Community Services Program Manager; Oregon Cascades West Council of Governments*

The Board will take a brief recess between the Work Session and Business Meeting

The Board of Commissioners may call an executive session when necessary pursuant to ORS 192.660. The Board is not required to provide advance notice of an executive session. However, every effort will be made to give notice of an executive session. If an executive session is the only item on the agenda for the Board meeting, notice shall be given as for all public meetings (ORS 192.640(2)) and the notice shall state the specific reason for the executive session as required by ORS 192.660.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the Board of Commissioners Office, (541) 766-6800.

BUSINESS MEETING

5. Consent Calendar

- 5.1 In the Matter of Approving the October 4, 2022 Board Meeting Minutes
- 5.2 In the Matter of Approving the October 18, 2022 Board Meeting Minutes
- 5.3 In the Matter of Approving the November 1, 2022 Board Meeting Minutes
- 5.4 In the Matter of Approving the November 14, 2022 Board Meeting Minutes
- 5.5 In the Matter of Approving the November 15, 2022 Board Meeting Minutes
- 5.6 National Association of Counties 2023 Membership Renewal

6. New Business

- 6.1 Proposed Sale of County-owned Property – *Rick Crager, Financial Services; Michael Gelardi, Gelardi Law*

7. Department Reports and Requests

- 7.1 Republic Services Annual Refuse Rate Index (RRI) Adjustments to Solid Waste Collection Rates – *Daniel Redick, Community Development*
- 7.2 Statewide Transportation Improvement Fund Review and Approval of Unanticipated Projects of Regional Significance – *Brad Dillingham, Gary Stockhoff, Benton County Public Works; Lisa Scherf, City of Corvallis Public Works*
- 7.3 County Administrator Goals, Board of Commissioners/County Administration Department Goals – *Joe Kerby, County Administrator; Sean McGuire, Sustainability Coordinator*

8. Information Sharing: (If time permits the following section will be heard)

- 8.1 Nancy Wyse, Chair
- 8.2 Pat Malone, Commissioner
- 8.3 Xanthippe Augerot, Commissioner
- 8.4 Joe Kerby, County Administrator

9. Other

ORS 192.640(1)" . . . notice shall include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects."

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**MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS**

Tuesday, November 29, 2022

Zoom link: <https://us06web.zoom.us/j/85020906496?pwd=eFRjMnhPSloyVzMzYzMzT3FwUGtLZz09>

Livestream: <http://facebook.com/BentonCoGov>

9:00 a.m.

- Present:** Nancy Wyse, Chair; Pat Malone, Commissioner; Xanthippe Augerot, Commissioner; Joe Kerby, County Administrator; Vance Croney, County Counsel
- Staff:** Rick Crager, Finance; Amanda Makepeace, BOC staff; Gary Stockhoff, Public Works; Cory Grogan, Public Information Officer; Sean McGuire, Sustainability; Erika Milo, BOC Recorder; Darren Nichols, Daniel Redick, Greg Verret, Community Development; Jef Van Arsdall, Sheriff
- Guests:** Michael Gelardi, Gelardi Law; John Harris, Horsepower Productions; Julie Jackson, Republic Services; Alicia Lucke, Ryan Vogt, Oregon Cascades West Council of Governments; Peggy Lynch, Debbie Palmer, Jennifer Williams, residents; Alex Powers, Mid-Valley Media

1. Opening

1.1 Call to Order

Chair Wyse called the meeting to order at 9:01 a.m.

1.2 Introductions

1.3 Announcements

There were no announcements.

2. Comments from the Public

Debbie Palmer, resident: Palmer explained that Chintimini Wildlife Center (CWC) is the only all-species wildlife rehabilitation center in the area. Donations to CWC are down 90%, creating a 256% decline in net revenue. CWC serves Benton, Linn, Lane, Lincoln, and Marion Counties. Palmer suggested that these counties join to pledge funds for CWC operations.

3. Review and Approve Agenda

No changes were made to the agenda.

4. Work Session

4.1 Discussion Regarding Amending Benton County Code Chapter 2, to Replace the Contract Appeal Process – Gary Stockhoff, Director of Public Works

Stockhoff explained that the proposed code amendment resulted from a protest of an awarded contract, which the Board heard in October 2022. In current code, a protest goes directly to the Board for a Public Hearing. Counsel and Stockhoff felt that these items should not go directly to the Board. The proposed change brings protests first to the contracting agent (staff), then the County Administrator (CA). This is consistent with many other counties. A Public Hearing on

this proposal will be held on December 6, 2022, with a second reading on December 20, 2022 and effective date of January 19, 2023. The goal is to complete this change before a large contract is awarded on January 20, 2023.

Counsel explained that the current contract appeals process was established in 1985. Departments now have more expertise. Most jurisdictions have moved away from the governing body hearing appeals. This is a more streamlined process to ensure that the people most familiar with the contracting process and the award make the determination.

Wyse asked if a department director has a role in approving the contract winner.

Stockhoff stated that is true of most departments.

Wyse agreed that the process should be updated, but expressed concern that sending the appeal to the director could be seen as bias or conflict of interest. Wyse proposed that appeals first go to the CA, then to the Board to decide if the CA acted in an arbitrary and capricious manner. Wyse felt that community members should be able to take the issue to the highest level of responsibility. Part of Board duties is to be a set of impartial eyes. This still gives CA the bulk of the decision-making power, but gives the Board oversight. Wyse suggested that other alterations could be made, such as tightening up the process, lengthening the appeal period, or charging a nominal administrative fee.

Augerot also expressed concerns about the impartiality of a department director to review an appeal for contracted work. Augerot preferred that the CA perform the primary review of the appeal, with an option to appeal to the Board if the matter cannot be resolved by the CA.

Malone opined that after the October 2022 appeal, there needed to be a change from coming directly to the Board. Malone was in favor of the CA being involved.

Stockhoff shared that in the proposed code, once the director sends notice of a potential award, an applicant has seven days to file an appeal. The appeal goes to the CA, usually within two weeks; then the protestor has another seven days to appeal to the Board. Stockhoff asked if the suggested change needed to be made in a Public Hearing, or as a regular agenda item.

Counsel noted it is much more challenging to schedule a Public Hearing than an agenda item within a tight timeframe, which was the biggest hurdle with the previous appeal. A Public Hearing is not required.

Wyse preferred to keep the Public Hearing. The community should have an opportunity to weigh in. Wyse clarified that in her suggestion, the Board would only be evaluating the CA's approach, not the appeal itself.

Counsel commented there would be even less need for a Public Hearing in that case.

Wyse agreed, but preferred in general to receive public input.

Kerby noted that the County did not have a CA when the original code was developed. The Board delegates authority to the CA. Kerby favored narrowing the appeal process to the Board. While department directors are usually involved in the decision-making, the County usually has an evaluation team, especially for larger contracts. Kerby expressed concern about lengthening the appeal timeframe, which could delay a project.

Wyse clarified that her meaning was to be more flexible if changes to the timeframe were needed.

Malone noted that discontinuing the Public Hearing process would not exclude public testimony at the beginning of a meeting, or elsewhere in the agenda if the Chair wishes. Malone agreed with Kerby about the need for timeline efficiency.

Malone and Augerot favored not including a Public Hearing in the appeal process.

Counsel favored a first level appeal to the CA, then a second appeal to the Board, to be placed on an agenda. Counsel asked if the Board appeal would be limited to only the arbitrary and capricious decision, or cover the entire appeal.

Augerot asked if the term ‘arbitrary and capricious’ would also cover perceived bias/conflict of interest by the CA.

Counsel replied that could be added to the code.

Malone noted that proposals are typically evaluated by five to seven people, which provides a range of viewpoints.

Stockhoff added that the County has worked to diversify perspectives on its panels.

Wyse asked if the process was outlined in a policy, or in code.

Stockhoff replied that in the proposed code, section 2.805 contains seven items and lays out the timeframes. Staff could change subsection 3 to the Chief Executive Officer and change subsection 5 to the Board judging the CA; the rest of the code would stay the same.

Wyse asked if the current process was written anywhere.

Augerot replied that the County has contract policies which Counsel re-worked, including policies that stipulate processes for certain contract value amounts. The Board could add that a contract over a certain value would undergo a formal team review process, without being too prescriptive about the process.

Counsel added that all County requests for proposal include information about the process. Proposals are usually reviewed by at least three people. Current policy outlines general expectations rather than process specifics. Counsel suggested returning to this aspect after the appeal code update.

Wyse agreed that a highly prescriptive policy was not necessary, but that makes it even more important to have the appeals process.

Augerot concurred with returning to a Work Session to examine process in current review policy and adding some general language about the Board’s values and approach, so there is a basis to judge the CA’s decision.

Counsel summarized that staff would bring an amendment to the proposed Chapter 2 code on December 6, 2022, and raise the policy matter at a future Work Session.

4.2 Update from Oregon Cascades West Council of Governments (COG) – *Ryan Vogt, Executive Director, Alicia Lucke, Community Services Program Manager; Oregon Cascades West Council of Governments*

Vogt shared that Community and Economic Development Director Jenny Glass is leaving the organization, so COG will begin recruitment for the position. When Vogt started work at COG, the organization lacked a documented strategic plan and a current mission statement or vision statement. Staff developed a new mission and vision statement and five values, to be approved by the COG Board next week and shared with the Board of Commissioners in January 2023. Priorities for the next two to three years include:

- Increased partnerships and participation, including a priority on unification work with Community Services Consortium (CSC).
- Internal trainings on equity, diversity, and inclusion (EDI). In future, COG will offer trainings to member agencies.
- Operational excellence.
- Increased visibility and brand awareness, ensuring that eligible clients know how to access services.
- Innovation, exploring program expansion and future niches.

Vogt reported on the Bias Incident Response System project. Contractor Zelo International has largely completed the work in the original contract. However, participation in public outreach was low, particularly with Black, Indigenous, and People of Color groups such as the National Association for the Advancement of Colored People (NAACP). Zelo is working on recommendations and discussing additional engagement.

Lucke described bias response focus groups held in the Cities of Corvallis, Albany, and Newport. Corvallis and Albany groups had good Latino representation. In 2020, Oregon created a bias reporting hotline. From 2020 to 2021, there was a 600% increase in referrals from community partner agencies, so there is opportunity for COG to be a liaison between the hotline and communities. COG found outreach opportunities through an elected officials survey, although officials did not agree about the level of bias in the region. The Corvallis Chamber of Commerce wants to conduct outreach to marginalized business owners. COG has a stakeholders group that helped develop outreach questions and locations. Former Benton County EDI Coordinator JoeHahn and staff from Albany and Lincoln Counties also helped. Reporting alone is not enough.

Wyse noted that community members have asked the Board about this topic. Reporting is not enough, but it is a start; otherwise many people will not believe that bias exists in their community.

Augerot described feedback that some community members are frustrated that COG received bias response funding a while ago, primarily from Corvallis, but not much action or change has happened. Augerot agreed it is important to deepen findings; working with the NAACP, Casa Latinos Unidos (CLU) and other Latino-facing community groups will help determine what can be done now rather than perpetual study.

Vogt had heard similar concerns, particularly from Corvallis residents. The City of Corvallis decided to engage in a larger conversation with COG. It took months to get enough momentum that the COG Board wanted staff to engage in that. It has been at least 18 months since Corvallis put aside funds for bias response. Also, COG was asked to hire a contractor to find out what the

community knows and wants, not to provide a solution. Additional investment in that solution has not been contemplated yet. With the final report, COG will ask if officials want to take on next steps, or have COG advance that. COG is not a leader in this space.

Malone asked for an update on CSC-COG unification.

Vogt noted this has been an ongoing conversation for about seven years. The term ‘merger’ can be problematic for staff. Governing Boards of CSC and COG have asked staff to examine crossover of populations served so as to work more closely and reduce consumer barriers. Vogt is discussing this with CSC Director Pegge McGuire; by the time P. McGuire retires, hopefully the two organizations can operate as one, at least in the Benton County and Albany area, with the exception of Inter-Governmental Agreements that require separate entities. The vision is to co-locate and offer universal eligibility. CSC and COG have agreed to purchase the same software solution for Human Resources (HR) and Finance, and to use the same hardware standards. CSC and COG will co-locate in Corvallis once a site is found. The Albany CSC office will move all operations into COG’s building.

Malone agreed that ‘merger’ was not the right term, and praised the effort to find common ground.

Lucke shared that Veterans Services had funding carried over from the previous fiscal year, which will be used to make Veterans Services Officer (VSO) Ian Briggs a permanent employee. COG is performing a salary study of represented staff, including comparisons with Lincoln and Columbia Counties. Lucke now has an administrative assistant, Melissa Wright, and will have an Oregon State University (OSU) work-study student/veteran to help with outreach. Staff work closely with the Older Adult Health Behavioral Initiative and will partner on a six-week depression intervention program for people showing signs of depression who are still waiting for clinical intervention.

Vogt added that the Veterans Services relationship with CSC has waned; staff are ensuring that CSC, COG, and Samaritan Health Services veterans teams are communicating. Executive directors will discuss the three programs investing together and/or co-housing.

Kerby to set up a meeting with COG. The County’s veterans services contract expires at the end of June 2023. Kerby recommended looking at mutual infrastructure now.

Augerot requested a future update on the Stand by Me financial literacy program.

Lucke shared that COG just held the program’s first in-person training, hosted by CLU.

Chair Wyse recessed the meeting at 10:19 a.m. and reconvened at 10:26 a.m.

5. Consent Calendar

5.1 In the Matter of Approving the October 4, 2022 Board Meeting Minutes

5.2 In the Matter of Approving the October 18, 2022 Board Meeting Minutes

5.3 In the Matter of Approving the November 1, 2022 Board Meeting Minutes

5.4 In the Matter of Approving the November 14, 2022 Board Meeting Minutes

5.5 In the Matter of Approving the November 15, 2022 Board Meeting Minutes

5.6 National Association of Counties 2023 Membership Renewal

MOTION: Malone moved to approve the Consent Calendar of November 29, 2022. Augerot seconded the motion, which **carried 3-0.**

6. New Business

6.1 Proposed Sale of County-owned Property – Rick Crager, Financial Services; Michael Gelardi, Gelardi Law

Crager explained that the County is usually required to sell property through an auction process; however, the County can accept offers if the property is deemed not useable and is valued under \$15,000. Lot 400 is farm land and lot 700 is a piece of private road, both surrounded by property owned by Hubbard Family, LLC (HFL). Department heads of Natural Areas, Parks & Events (NAPE), Public Works, and Community Development have confirmed there is no public use of the land. The County Assessor confirmed that the land is valued at about the same amount as the offer, \$2,500-2,600. Gelardi has provided comparables to demonstrate this is a fair price. Crager worked on the title conveyance with Counsel. This is all documented in the proposed Resolution.

Gelardi, counsel to HFL, explained that HFL owns about 500 acres of farmland adjacent to the two parcels. The County acquired the parcels through past tax foreclosures. HFL will integrate lot 400 into its hazelnut orchard operation. HFL owns the rest of the road; this will unify ownership and management.

Wyse asked if the quitclaim deed was in the packet.

Counsel replied the deed was not in the packet, but is done now and will be provided tomorrow. The motion authorizes the Chair sign the deed.

MOTION: Malone moved to approve Resolution #R2022-017 to accept an offer of \$2,500 from Hubbard Family LLC to convey the ownership of the currently owned properties identified as Tax Lot 15-4-8-400 and 15-4-7-700. Augerot seconded the motion, which **carried 3-0.**

7. Department Reports and Requests

7.1 Republic Services Annual Refuse Rate Index (RRI) Adjustments to Solid Waste Collection Rates – Daniel Redick, Community Development

Redick explained that these rates apply in parts of Benton County outside city limits. Part of the RRI is calculated from the Cost of Living Index (CLI) and disposal costs from Republic Services (RS). Following the CLI would mean an 8.8% increase for adjusted rates, but RS has chosen to do a 4% rate increase, for an average increase of \$1.17 per month per residential customer. Responding to a question from Wyse, Redick replied that RRI adjustments do not require Board action, and will take effect January 1, 2023.

Augerot and Malone expressed appreciation for not increasing the rate the full amount, given general inflation.

Redick noted that rates increased 3% in 2020, 2.9% in 2021, and 4% in 2022.

7.2 Statewide Transportation Improvement Fund (STIF) Review and Approval of Unanticipated Projects of Regional Significance (UPRS) – Gary Stockhoff, Benton County Public Works

Stockhoff explained that STIF had a carryover balance from 2019-21. In 2021-2023, projects were programmed based on projected revenues, leaving unobligated funds in the UPRS category so later projects could be processed through the STIF Committee. The new STIF Committee reviewed and approved projects on October 26, 2022, including a Corvallis-Benton bus garage upgrade, helping COG with a mobility hub, and providing fareless Benton Area Transit rides for the rest of the biennium (\$15,000). The County does not collect much fare revenue, perhaps not even enough to cover staff time. In early January 2023, the committee will determine whether to extend fareless rides for 2023-2025. Since the October 2022 meeting, the committee has added \$125,000 in the discretionary category for Fleet security fencing and lighting, including a card lock gate system. The County's back fleet has experienced vandalism and gas theft. This was a high cost estimate.

MOTION: Augerot moved to approve the UPRS. Malone seconded the motion, which **passed 3-0.**

7.3 *Board of Commissioners/County Administration Department Goals – Joe Kerby, County Administrator; Sean McGuire, Sustainability Coordinator

Chair Wyse recessed the meeting at 11:06 a.m. and reconvened at 11:17 a.m.

McGuire explained that Kerby is drafting the Board of Commissioners Office goals for the next biennium. All departments must have three to five goals, with at least one related to climate goals. Augerot had provided feedback in writing (exhibit 1). Department functions have been divided into the Equity, Diversity & Inclusion (EDI) Program, JSIP, the Sustainability Program, Public Information, and Administrative Activities. McGuire requested Board feedback on priority topics to include.

Wyse favored the topics listed under Equity, Diversity, and Inclusion.

Malone praised integrating goals with budget discussions.

McGuire asked how the organization can support JSIP regardless of the bond measure outcome.

Augerot noted that the County has a split system, with the Willamette Criminal Justice Council staffed by the District Attorney's Office, and JSIP Manager Kurth in the Board's Office, with goals including a data dashboard to show improvements. It is important to build synergy between the two areas, co-locating or merging positions, so the County has a system-wide employee to monitor the overall program and its effectiveness.

Wyse noted the County is working with lobbyists on JSIP funding; some of those requests will occur after the bond measure.

Augerot concurred; Federal lobbying will definitely continue after the bond measure.

Malone noted a significant facilities component, creating sustainable buildings such as the Kalapuya Building that reflect County values and goals.

Augerot added if repurposing the historic Courthouse might fit in that category. The current lead on that is McKee, who is leaving the organization, so it is important to consider who will carry that focus forward. Regarding Sustainability, Augerot hoped McGuire would continue to work on the Sustainable Materials Management Plan (SMMP).

McGuire noted that he and Jen Brown (Sustainability) serve on the Benton County Talks Trash Work Group and the SMMP sub-committee.

Malone stated that sustainability is key to all the County's efforts, not a separate topic.

Augerot prioritized a previously discussed County-wide water use initiative. Internal water use is monitored by the Sustainability Program, but external use has not been monitored. Augerot recently discussed water planning with Polk County Commissioner Craig Pope. Polk County has hired consultants for a county-level water planning process, using American Rescue Plan Act (ARPA) funding. Pope or Polk Community Development staff could discuss these activities with the Board. Augerot recommended working in tandem.

Malone stressed developing partnerships, including State and Federal lobbying efforts now that the County has hired a government relations firm. There is significant sustainability funding available, especially at the Federal level.

For Public Information, Kerby advocated drafting a policy to standardize the County's community engagement process across departments.

The Board expressed support for that item.

Under Administrative Activities, Wyse asked for clarification on "implement new website trainings for all editors for WordPress; goal of up-to-date and visually data-rich website."

Augerot explained that the new County website will be hosted on WordPress, so staff will need training to update the site. Augerot requested more maps/graphical information, such as dashboards for JSIP, greenhouse gas emissions, and health metrics. The County need to show trends and service delivery over time, communicating and developing plans for improvement.

Wyse expressed full support for website improvement.

Augerot listed generic support for the Board's legislative agenda, including legislative breakfasts.

Responding to a question from Wyse, McGuire clarified that the suggested topics in the document were only from Augerot, not the department.

Kerby added that staff will use feedback from the Board and staff to create one or two goals in each area. The goals will drive budget decisions.

Malone expressed support for continuing to hold hybrid meetings, which is better for attendance and sustainability.

Wyse asked that in future, staff include meeting information in the packet in advance and provide a blurb on the intention of the discussion.

McGuire was working with Information Technology to develop an online tracking system that aggregates program expenditures. Staff plan to implement that system with the new website, which goes active on July 1, 2022.

Malone expressed support for the administrative goal of good and accessible minutes.

Augerot stressed the importance of being able to easily look up past discussions.

Kerby praised Brown for establishing the Kalapuya Building sustainability lobby display, which is powered by and features data about energy generated by County solar panels.

{Exhibit 1: Guidance on BOC Goals for Fiscal Year 2023-25}

8. Information Sharing

8.1 Nancy Wyse, Chair

Wyse to present Deputy Jim Weikel's retirement letter. Wyse attended the Monroe City Council meeting to give a short update on County projects.

8.2 Pat Malone, Commissioner

Malone announced that NAPE Director Lynne McKee is leaving the organization; Jesse Ott will be Interim Director beginning mid-December 2022. Kerby's vision of combining two small departments into NAPE created more depth and resilience. In mid-November 2022, the Board attended the Association of Oregon Counties (AOC) Annual Conference in Eugene, Oregon. Malone thanked Crager for drafting the Board's 2023 legislative priorities, which will help focus the Board's intentions for the County's government relations team.

8.3 Xanthippe Augerot, Commissioner

Augerot had been working on Behavioral Health and Justice System intersections. Augerot will no longer be co-chair of the AOC Public Safety Committee, but will continue to participate. Augerot will attend the Justice System presentation for Casa Latinos Unidos on December 3, 2022, to be given in Spanish with interpreters. Augerot will attend the Oregon Business Summit in Portland and the AOC/Oregon Business Institute dinner in December 2022. On December 10, 2022, Augerot and Lincoln County Commissioner Kaety Jacobson will host a "Commissioners Corner" event at the Alsea Library with Oregon Senator Dick Anderson and Representative David Gomberg. Many Lincoln County residents cross the county line to use Alsea services.

8.4 Joe Kerby, County Administrator

Kerby shared that today's City Manager Meeting will include Eddie Provost to represent the Community of Alsea. Kerby had met twice with Provost to discuss projects needing assistance. Three County staff members are now involved with Alsea Community Effort (ACE), including Ott, who is providing information to Provost about managing some timberland donated to ACE. Crager is helping ACE with the County ARPA funding process; ACE will likely apply in early 2023. Brown will consult with ACE on solar projects. Kerby recognized NAPE Director Lynne McKee, who is leaving the organization as of December 16, 2022; Kerby asked the Board to present an award to McKee at the December 6, 2022 Board Meeting. NAPE Director recruitment should begin later this week. EDI Coordinator Sarah Siddiqui started work yesterday and will

spend the next month doing a listening tour of electeds, department heads, and stakeholders. Kerby and staff are engaged in the budget process and will work with the Board and Finance to establish the current level of service.

9. Other

No other business was discussed.

10. Adjournment

Chair Wyse adjourned the meeting at 11:49 a.m.

DocuSigned by:

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Nancy Wyse, Chair

DocuSigned by:

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Erika Milo, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

WORK SESSIONS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 11/29/22

View [Agenda Tracker](#)

Suggested Placement * Work Session

Department * Public Works

Contact Name * Gary Stockhoff

Phone Extension * 6010

Meeting Attendee Name * Gary Stockhoff

Agenda Item Details



Item Title * Consider Amending BCC Chapter 2 to Replace the Contract Appeal Process

Item Involves * Check all that apply

- ☐ Appointments
- ☐ Budget
- ☐ Contract/Agreement
- ☐ Discussion and Action
- ☒ Discussion Only
- ☐ Document Recording
- ☐ Employment
- ☐ Notice of Intent
- ☐ Order/Resolution
- ☐ Ordinance/Public Hearing 1st Reading
- ☐ Ordinance/Public Hearing 2nd Reading
- ☐ Proclamation
- ☐ Project/Committee Update
- ☐ Public Comment
- ☐ Special Report
- ☐ Other

Estimated Time * 15 min

Board/Committee Involvement * ☐ Yes ☒ No

Advertisement*

- ☒ Yes
- ☐ No

Names/Dates of Publications

List each publication name and date
Gazette Times 11/21/22

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

The contract appeals process, BCC chapter 2, has not been substantively updated in more than two decades. Following a recent contract award appeal, county staff determined the existing appeal process is outdated and in need of replacement to reflect the county's current contracting practices and objectives.

Staff proposes to revise the appeal process to provide two appellate steps for an aggrieved contractor. The first option to carry an appeal would go to the department head whose department solicited the contract bids. This puts the appeal in the hands of the most knowledgeable person as to the nature of the contract and county solicitation process. If the contractor is unsatisfied with this review, an appeal may be taken to the County Administrator.

Currently, appeals go straight to the Board of Commissioners within a tight timeline. While these appeals have been extremely rare, they don't place the contractor before the county staff who are familiar with the contracting process.

Staff proposes to amend BCC 2.805 as described herein:

2.805 Procedure. The procedure for appeals (or protests) for decisions rendered by the public contracting officer shall be as follows:

- (1) Notice of appeal shall be in writing and addressed to the public contracting officer or person designated in the applicable solicitation document. The written appeal must be received no later than the deadline stated in the aforementioned solicitation document.
- (2) The written appeal must clearly and specifically identify the item or items being appealed, and succinctly state the reasons and/or rationale for submitting the appeal.
- (3) Upon receipt of the written appeal the public contracting official shall initiate an investigation of the appeal. The public contracting official shall complete the investigation and render a decision on the appeal within 14 calendar days.
- (4) The appellant will be notified of the contracting official's decision within 7 calendar days of the decision being rendered.
- (5) The appellant, if not satisfied with the decision rendered by the contracting official, may submit a subsequent written appeal to the County Administrative Officer.
- (6) Upon receipt of the written appeal, the County Administrative Officer or designee shall initiate an investigation of the appeal. The CAO shall complete the investigation and render a decision on the appeal within 14 calendar days of receipt of the appeal.
- (7) The appellant will be notified of the CAO's decision within 7 calendar days of the decision rendered. The decision of the CAO will be final, and no further appeal options will be available. [Ord. 85-0002; Ord. 2000-162; Ord. 2005-205; Ord. 2022-03__]

See ordinance attachment A

Options *

- 1) Approve amendment as written
- 2) Provide alternative direction to staff
- 3) Reject the amendment

- ☐ Yes
- ☐ No

Fiscal Impact *

2040 Thriving Communities Initiative

Mandated Service? * ☐ Yes ☒ No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values *

Select all that apply.

- ☐ Vibrant, Livable Communities
- ☐ Supportive People Resources
- ☐ High Quality Environment and Access
- ☐ Diverse Economy that Fits
- ☐ Community Resilience
- ☐ Equity for Everyone
- ☐ Health in All Actions
- ☒ N/A

Explain Core Values Selections * N/A

Focus Areas and Vision *

Select all that apply.

- ☐ Community Safety
- ☐ Emergency Preparedness
- ☐ Outdoor Recreation
- ☐ Prosperous Economy
- ☐ Environment and Natural Resources
- ☐ Mobility and Transportation
- ☐ Housing and Growth
- ☐ Arts, Entertainment, Culture, and History
- ☐ Food and Agriculture
- ☐ Lifelong Learning and Education
- ☒ N/A

Explain Focus Areas and Vision Selection * N/A

Recommendations and Motions

Item Recommendations and Motions

Staff
Recommendations * Staff recommends Option #1 and to proceed to the required public hearing on December 6, 2022, and subsequent 2nd Reading on December 20, 2022. The Ordinance, if approved, will become effective on January 19, 2023.

Work Session
Motions * I move to ...
place amendment to Benton County Code Chapter 2 to replace the Contract Appeal Process on the December 6, 2022 agenda for a public hearing.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

Attachment A Ordin Chap 2 2022.pdf

143KB

Comments (optional)

If you have any questions, please call ext.6800

Department

GARY STOCKHOFF

Approver

Comments

Signature



Gary Stockhoff

BOC Initial Approval

Approvals Required ☒ Counsel

☐ Finance

☐ HR

Counsel Approver VANCE CRONEY

**County
Administrator
Approver** JOE KERBY

Comments

Comments

Signature

Vance H. Cheney

Comments

Signature

Chapp Kelly

Comments

Signature

Amarda Hakepeace

**BEFORE THE BOARD OF COMMISSIONERS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON**

In the Matter of Amending	)	
BCC Ch. 2, to Replace the	)	Ordinance No. 2022-0315
Contract Appeal Process	)	

THE BENTON COUNTY BOARD OF COMMISSIONERS HEREBY ORDAIN AS FOLLOWS:

WHEREAS, Benton County has enacted BCC ch. 2, the Benton County Contracting Code in lieu of the State Attorney General Model Contracting Rules; and

WHEREAS, the contract appeals process in BCC ch. 2 has not been substantively updated in more than two decades; and

WHEREAS, following a recent contract award appeal, county staff determined the existing appeal process is outdated and in need of replacement to reflect the county's current contracting practices and objectives; and

NOW, THEREFORE, the Board of Commissioners of Benton County ordain as follows:

I. Short Title.

1. This ordinance shall be known as "Amendment to Benton County Code Chapter 2, County Contracts."

II. Text Amendment.

2. Benton County Code Chapter 2 is hereby amended as described in the attached Exhibit A.

This Ordinance shall become effective on the 29th day of December, 2022.

1 st Reading:	November 15 2022
2 nd Reading:	November 29, 2022
Effective Date:	December 29, 2022

BOARD OF COMMISSIONERS

Nancy Wyse, Chair

Approved as to Form:

Pat Malone, Commissioner

Vance M. Croney, County Counsel

Xanthippe Augerot, Commissioner

**BEFORE THE BOARD OF COMMISSIONERS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON**

In the Matter of Amending)
BCC Ch. 2, to Replace the) **Ordinance No. 2022-0315**
Contract Appeal Process)

THE BENTON COUNTY BOARD OF COMMISSIONERS HEREBY ORDAIN AS FOLLOWS:

WHEREAS, Benton County has enacted BCC ch. 2, the Benton County Contracting Code in lieu of the State Attorney General Model Contracting Rules; and

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I. Short Title.

1. This ordinance shall be known as "Amendment to Benton County Code Chapter 2, County Contracts."

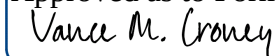
II. Text Amendment.

2. Benton County Code Chapter 2 is hereby amended as described in the attached Exhibit A.

This Ordinance shall become effective on the 19th day of January, 2023.

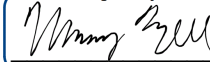
1st Reading: December 6 2022
2nd Reading: December 20, 2022
Effective Date: January 19, 2023

Approved as to Form:


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Vance M. Croney, County Counsel

BOARD OF COMMISSIONERS

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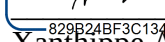


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Nancy Wyse, Chair



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Pat Malone, Commissioner

DocuSigned by:



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Xanthippe Augerot, Commissioner

Exhibit "A"

Benton County Code Chapter 2 shall be amended as follows:

1. BCC 2.315 shall be amended as described herein:

2.315 Product Prequalification.

(1) When it is impractical to create or reproduce specific design or performance specifications for a type of product to be purchased, the county may specify a list of approved or qualified products by reference to a particular manufacturer or seller in accordance with the following product prequalification procedure:

(a) The County shall make reasonable efforts to notify all known manufacturers and vendors of competitive products of its intention to accept applications for inclusion in its list of prequalified products. Notification shall include advertisement in a trade journal of state-wide distribution when possible. In lieu of advertising, the County may notify vendors and manufacturers appearing on the appropriate list maintained by the State of Oregon.

(b) The County shall permit application for prequalification of similar products up to 15 days prior to advertisement for bids on the product.

(2) If an application for inclusion in a list of prequalified products is denied, or an existing prequalification revoked, the County shall notify the applicant in writing. The applicant may appeal to BCC 2.805. [Ord. 85-0002; BCC 2010-0234; formerly BCC 2.720; Ord. 2022-0315]

2. BCC 2.805 shall be amended as described herein:

2.805 Procedure. The procedure for appeals (or protests) for decisions rendered by the public contracting officer shall be as follows:

(1) Notice of appeal shall be in writing, addressed to the County Administrative Officer (CAO) and must be received no later than 14 days from the date notice of the challenged decision was issued.

(2) The written appeal must clearly and specifically identify the item or items being appealed, and succinctly state the reasons and/or rationale for submitting the appeal.

(3) Upon receipt of the written appeal the CAO shall initiate an investigation of the appeal. The CAO shall complete the investigation and render a decision on the appeal within 14 calendar days from the date of receipt of the appeal. If the CAO believes they may be biased or presented with a conflict of interest, they may appoint a designee, who shall not be part of the department whose contract is at issue, to conduct the investigation and reach a decision.

(4) The appellant will be notified of the CAO's decision within 5 calendar days of the date of the decision.

(5) If the appellant is dissatisfied with the CAO's decision, it may file a written appeal to the Board of Commissioners (BOC). A written appeal of the CAO's decision may only be based on an allegation that the CAO's decision was arbitrary, capricious or biased. Appellant's written appeal must be submitted within 5 days of the date of the CAO's decision and must state with specificity the reason(s) why the decision was arbitrary, capricious or biased.

(6) Upon receipt of the written appeal, the BOC shall schedule a review of the appeal at the next available regularly scheduled BOC meeting. A public hearing for the review is not required. The BOC shall only review the CAO's decision to determine whether it was arbitrary, capricious or biased.

(7) The appellant will be notified of the BOC's decision within 5 calendar days of the decision rendered. The decision of the BOC will be final, and no further appeal options will be available. [Ord. 85-0002; Ord. 2000-162; Ord. 2005-205; Ord. 2022-0315]

Exhibit “A”

Benton County Code Chapter 2 shall be amended as follows:

1. BCC 2.315 shall be amended as described herein:

2.315 Product Prequalification.

(1) When it is impractical to create or reproduce specific design or performance specifications for a type of product to be purchased, the county may specify a list of approved or qualified products by reference to a particular manufacturer or seller in accordance with the following product prequalification procedure:

(a) The County shall make reasonable efforts to notify all known manufacturers and vendors of competitive products of its intention to accept applications for inclusion in its list of prequalified products. Notification shall include advertisement in a trade journal of state-wide distribution when possible. In lieu of advertising, the County may notify vendors and manufacturers appearing on the appropriate list maintained by the State of Oregon.

(b) The County shall permit application for prequalification of similar products up to 15 days prior to advertisement for bids on the product.

(2) If an application for inclusion in a list of prequalified products is denied, or an existing prequalification revoked, the County shall notify the applicant in writing. The applicant may appeal ~~to the local Contract Review Board~~ pursuant to BCC 2.805. [Ord. 85-0002; BCC 2010-0234; formerly BCC 2.720; Ord. 2022-0315]

2. BCC 2.805 shall be amended as described herein:

~~**2.805 Procedure.** The procedure for appeals from decisions of the public contracting officer shall be as follows:~~

~~(1) Notices of appeal shall be in writing addressed to the public contracting officer and must be submitted no later than 14 calendar days from the date of the challenged decision.~~

~~(2) Immediately upon receipt of written notice of appeal, the public contracting officer shall inform the Board.~~

~~(3) Upon receipt of notice of appeal, the Board shall notify the person appealing of the time and place of the hearing.~~

~~(4) The Board shall conduct a de novo hearing according to the provisions of ORS 279.045(3) and decide the appeal within 30 days after receiving the notification and shall set forth in writing the reasons for its decisions.~~

2.805 Procedure. The procedure for appeals (or protests) for decisions rendered by the public contracting officer shall be as follows:

(1) Notice of appeal shall be in writing and addressed to the public contracting officer or person designated in the applicable solicitation document. The written appeal must be received no later than the deadline stated in the aforementioned solicitation document.

(2) The written appeal must clearly and specifically identify the item or items being appealed, and succinctly state the reasons and/or rationale for submitting the appeal.

(3) Upon receipt of the written appeal the public contracting official shall initiate an investigation of the appeal. The public contracting official shall complete the investigation and render a decision on the appeal within 14 calendar days.

(4) The appellant will be notified of the contracting official's decision within 7 calendar days of the decision being rendered.

(5) The appellant, if not satisfied with the decision rendered by the contracting official, may submit a subsequent written appeal to the County Administrative Officer.

(6) Upon receipt of the written appeal, the County Administrative Officer or designee shall initiate an investigation of the appeal. The CAO shall complete the investigation and render a decision on the appeal within 14 calendar days of receipt of the appeal.

(7) The appellant will be notified of the CAO's decision within 7 calendar days of the decision rendered. The decision of the CAO will be final, and no further appeal options will be available. [Ord. 85-0002; Ord. 2000-162; Ord. 2005-205; Ord. 2022-0315]



1400 Queen Ave SE • Suite 201 • Albany, OR 97322
(541) 967-8720 • FAX (541) 967-6123

MEMORANDUM

DATE: November 22, 2022
TO: Benton County Board of Commissioners
FROM: Ryan Vogt, Executive Director
RE: OCWCOG Benton County Updates

Senior, Disability and Community Services Update

Community Services Programs

Stand By Me – Oregon (\$BM-OR)

The Stand By Me – Oregon Program continues to grow the capacity for its financial coaching program around budget creation, debt reduction, increased savings, and credit improvement in Linn, Benton, Lincoln, and Marion Counties. The program has provided free coaching to a total of 36 unduplicated clients, with 85% taking action on budget creation, 82% taking action to increase savings, and 62% taking action to reduce debt.

Stand By Me – Oregon continues to work with KidCo Head Start, CARDV, and OCWCOG's Ride Line as implementation partners. Since the last reporting period, Stand By Me has accomplished the following:

- Hosted first in-person coaches training on October 17, 19, and 21, 2022, with new coaches representing:
 - Oregon State University's Center For Advancing Education (CAFE) (1)
 - C.H.A.N.C.E. (3)
 - Benton County's Drug Treatment Court (1)
 - AmeriCorps Seniors National Service (2)
 - Strengthening Rural Families (1)
- Casa Latinos Unidos also attended training and will offer six financial workshops with coaching in Spanish from November 2022 - June 2023, thanks to a recent Oregon Community Foundation grant.
- Western Oregon University intern created the following promotional videos:
 - <https://vimeo.com/766699892> (For Clients)
 - <https://vimeo.com/767082993> (For Volunteers)

Bias Response Initiative

Zilo International Group is wrapping up the Bias Response feasibility study within Linn, Benton, and Lincoln Counties with focus group research completed in August 2022 and the Elected Officials Survey in September 2022. A Virtual Summit covering research highlights was presented on November 2, 2022, and a final report will be completed by January 2023. This

feasibility study, while not an end solution to all bias incidents, will produce valuable insight from the region and offer potential next steps and solutions for the community.

Meals on Wheels

The OCWCOG Meals on Wheels Program in Benton County served a total of 10,428 meals from July 1 – September 30, 2022. Of these, 10,287 were home delivered meals and 141 were congregate meals served at the Corvallis Elks Lodge.

Benton County Veteran Service Office

Claims Filed and Appointments Filled

From July 1 – September 30, 2022, a total of 52 claims were filed. These claims included new claims issued, reopening of previously denied issues, applying for VA healthcare, and appealing claims to the Board of Veterans Appeals. VSOs conducted 221 appointments with veterans and their dependents during this time period. This included both in person and phone appointments. OSU outreach is scheduled to resume in October.

Outreach and Presentations

Aging and Disability Resource Connection (ADRC) Veterans Benefits Presentation

On August 26, Mark and Molly provided an overview of veteran benefits, focusing on long-term care benefits, to ADRC volunteers from across the state, both in person and virtually.

Philomath Public Safety Chili Cook Off

On September 11, Molly attended the Philomath Public Safety Chili Cook Off. At this event, Molly shared a table with Red Feather Ranch, a Philomath based group that provides online support groups for veterans, and had the opportunity to network with other community partners and speak with the public.



Molly at the Philomath Chili Cook Off

Training and Networking

- Ian attended new VSO training virtually with NACVSO and received his National Accreditation.
- The team attended ODVA's regional training.
- Molly attended an Improving Veterans Transportation Services for Veterans work group sponsored by ODOT.
- VSOs attend bi-weekly OACVSO meetings to connect with VSOs from across the state and receive updates from ODVA.
- VSOs continue to attend monthly Vet Net meetings.

Staffing Updates

Molly Murphy's last day with OCWCOG and Benton County Veterans Service Office is Monday, November 28.

Veteran Success Story

Due to certain circumstances, our veterans and their dependents can have overpayments from the VA resulting in a debt they owe. Veterans and their dependents have the option of paying the debt, having their monthly payments reduced, or asking for a waiver from the Debt Management Center. Waivers are based on financial need and/or an error on the VA. Our VSOs worked with a surviving spouse who came to us for help with a very large overpayment. Surviving spouses who receive the VA's Surviving Spouse Pension benefit, which is income based, are required to inform the VA of any financial changes each year. Changes in Social Security benefits can also impact a survivor's entitlement to the VA pension program. This surviving spouse resides in a memory care facility, and her surviving children were not aware of the requirement to update the VA each year on financial changes. A change in this surviving spouse's social security prompted the VA to perform an audit of her file, resulting in an overpayment and debt of \$35,524.00. This surviving spouse does not have the financial resources to pay the debt in full, and a reduction in her monthly payments would have resulted in financial hardship and inability to pay her monthly rent to the memory care facility. Our VSOs worked hand in hand with her son to complete the waiver form and ask for a full or partial waiver of this debt. This involves completing the required form and a statement on how the debt would create a financial hardship for this surviving spouse. The Debt Management Center reviewed her application and granted a complete waiver in full for this surviving spouse. This means she can continue to make her monthly payments and not have to worry about continuing to cover her cost of living expenses.

Community and Economic Development Updates

Staffing Updates

In July, Ashlyn Muzechenko joined the team as our department Administrative Assistant, and Billy McGregor took the role of Assistant Planner for Albany Area Metropolitan Planning Organization. In August, we welcomed back Nick Meltzer, Transportation Program Manager, from his extended leave. CED Director Jenny Glass announced that she would be leaving to take another opportunity with her last day being December 2, 2022.

Transportation

Corvallis Area Metropolitan Planning Organization (CAMPO)

- Surface Transportation Block Grant (STBG) solicitations were open from mid-September until October 14. There is over \$3 million in STBG funds available to be spent in the CAMPO region between FFY 2025 and 2027.
 - CAMPO received five STBG applications from member jurisdictions.
 - CAMPO Technical Advisory Committee (TAC) scored STBG project proposals using adopted evaluation criteria.
 - A combined AAMPO/CAMPO virtual open house/comment period on project proposals will begin November 18 and continue through December 20.
- Draft Metropolitan Transportation Improvement Projects (MTIP) and Statewide Transportation Improvement Projects (STIP) projects have been entered into STIP-FP for FY2024-27.
- CAMPO is wrapping up work on the Adair Village Trails Plan with the City of Adair Village.
- CAMPO is participating in work on the Philomath School Circulation Study.

- Project kick off was held in late September, and the consultant site visit took place in October.
- AAMPO/CAMPO supported Linn Benton Loop outreach at Linn Benton Community College Welcome Day and the Oregon State University Beaver Fair in September.
- CAMPO staff attended the Association of Metropolitan Planning Organization's (MPO) conference in Minneapolis in October.
- AAMPO and CAMPO are working on semi-annual reports to get ahead of the deadline in January 2023.
- AAMPO and CAMPO will draft work plans for FY2024 in November and December.

Projects

LBCC and OSU Mobility Hub Design

- Completed Phase 2 scope and budget
- Began permitting process
- Worked to identify and secure additional funding for Phase 2 cost overruns
- Identified funding opportunities for mobility hub construction
- Coordination meetings with the Parametrix team as needed

Seamless Transit Experience

- Executive business review conducted by Swiftly in July
- Monthly check in with Swiftly and agencies
- CWRide website updates for broken links
- OSU Beaver Fair tabling event promoting transportation across the region using CWRide and Transit app

Cascades West Transportation Options

- The 10th Annual Get There Challenge was held October 3rd – 16th with 224 participants in our Linn, Benton, and Lincoln County region.
- 11 participants won prizes from 5 local sponsors.

Linn, Benton, Lincoln County Human Services Coordinated Plan Update

- The advisory committee provided input on strategies and goals for the updated LBL Coordinated Plans in September.
- Drafts for existing conditions, demographics, strategies, and goals were submitted to the advisory committee and transit providers for feedback at an early December meeting, after which finalized edits will be submitted to Nelson/Nygaard consults for the final draft.

Cascades West Training Center

- 2 trainings were held in the Toledo office providing certification for 11 Non-Emergent Medical Transportation and 3 public transit drivers.
- 1 training was held in the Albany office providing certification for 4 Non-Emergent Medical Transportation drivers and 1 private citizen.

Cascades West Ride Line

July 2022 – October 2022

Data below are from July 2022 to October 2022. Over 45,000 physical trips. The majority of these trips were sedan trips over 26,000. The second most utilized mode was Mileage reimbursements at over 14,000 reimbursements.

	Trips (Sedan, Wheelchair, Secure, Stretchers)	Clients (Unique members)	Reimbursement (Mileage, Meals, Lodging)	Clients (Unique members)
Linn County	26,809	2,022	8,815	327
Benton County	8,898	718	2,471	82
Lincoln County	8,536	707	3,219	196
All other counties	1,174	141	322	10
Regionally	45,417	3,588	14,827	615

Planning

Cascades West Economic Development District (CWEDD)

- CWEDD Board meeting was held on November 10, 2022 with updates from the broadband action team and Oregon Broadband Office.
- Staff continued convening the Childcare Working Group for Linn, Benton, & Lincoln Counties. Staff are planning a virtual child care business workshop in partnership with Linn Benton Community College and Reinventing Rural.
- Staff continued work with 12 Linn/Benton rural cities to identify projects and supply grant writing if applicable.
- Kicked off the regional EDA Broadband Grant by promoting the Faster Internet Oregon speed test. This data will inform the broadband infrastructure planning for the region by identifying the largest gaps in service. The speed test can be taken from home at fasterinternetoregon.org.

Land Use & Planning Projects

- The Cascade West Regional Consortium (CWRC) finished phase one of the work with ECONorthwest on the Wetland Mitigation Bank Feasibility Study. The study was presented to the CWRC in October 2022 followed by presentations from the Department of State Lands and the Army Corps of Engineers on wetlands development permitting. The CWRC is meeting on November 15, 2022, to discuss action on the next steps from recommendations that came out of the study.

Lending

Cascade West Business Lending

- Staff is working to transfer loan administration to a contract with CCD to free up time for outreach and activities leading to more lending.

CONSENT CALENDAR

MINUTES OF THE MEETING

BENTON COUNTY BOARD OF COMMISSIONERS

Zoom link: <https://us06web.zoom.us/j/81192557649?pwd=Qkw3eHNhVzI0BRUt2OTBnNjZqem45dz09>

Livestream: <http://facebook.com/BentonCoGov>

Tuesday, October 4, 2022

9:00 a.m.

Present: Nancy Wyse, Chair; Xanthippe Augerot, Commissioner; Pat Malone, Commissioner; Vance Croney, County Counsel; Joe Kerby, County Administrator

Staff: Jenn Ambuehl, Rick Crager, Finance; Julie Arena, Home, Opportunity, Planning & Equity Project; Jen Brown, Sustainability; Marriah De La Vega, Amanda Makepeace, BOC Staff; Cory Grogan, Public Information Officer; Suzanne Hoffman, April Holland, Health; Bryan Lee, Jef Van Arsdall, Sheriff's Office; Erika Milo, BOC Recorder; Darren Nichols, Rebecca Taylor, Greg Verret, Inga Williams, Community Development; Gary Stockhoff, Public Works; Matt Wetherell, Juvenile Department

Guests: Jen Butler, First Congregational United Church of Christ; Shawn Collins, Unity Shelter; Emma Deane, Cynthia De la Torre, Ken Eklund, Kevin Kenaga, Debbie Palmer, Edward Pitera, Marge Popp, residents; John Harris, Horsepower Productions; Sam Imperati, ICM Resolutions/ Benton County Talks Trash Work Group; Julie Jackson, Republic Services; Jim Maitland, Foundation Engineering, Incorporated; Cody Mann, Mid-Valley Media

Chair Wyse called the meeting to order at 9:04 a.m.

I. Opening:

A. Introductions

B. Announcements

No announcements were made.

II. Comments from the Public

Marge Popp, resident, Benton County Talks Trash (BCTT) Work Group (WG) member: Popp stated that on October 2, 2022, BCTT WG members received an email from WG Facilitator Imperati with materials for the October 6, 2022 meeting, including 133 pages of disorganized spreadsheets. Popp felt it was difficult for volunteers unfamiliar with County Code and land use to review the information without an overview or summary. Popp stated that Imperati had not been sufficiently responsive to these concerns, and expressed feeling frustrated and overwhelmed.

Ken Eklund, resident, BCTT WG member: Eklund noted that item three in Imperati's memo (packet Item 8.1) mentioned a request for a non-member to address the WG. Eklund felt the facilitator should bring this matter before the WG, rather than the Board, as the Board has already directed that the WG to be the "One Table" for such matters to be presented. Regarding item two in the memo, Eklund urged the Board to tell Imperati that the WG should engage with these questions: "when is it likely the landfill will close, how do we reduce the amount of landfill waste generated by Benton County, and what are the County's options for its solid waste future." Whether or not the WG makes a recommendation should be up to the WG. Nothing in the WG

agenda looks farther ahead than the next Conditional Use Permit (CUP) application. Efforts to get the WG to discuss the future of solid waste are being stifled by procedural runarounds. Empower the WG to evaluate which matters that come to the One Table are valuable and relevant, so the WG can fulfill its charter to properly scope a County solid waste management plan.

Debbie Palmer, resident, BCTT WG member: Palmer stated that Imperati was misrepresenting the community as wanting to close CBL as soon as possible, whereas the community wants CBL to stop expanding and the County to plan for post-closure waste management. Intentionally sited landfills belong in dry climates remote from human habitation and water tables, whereas CBL is an accidentally sited landfill that was never intended to be used long-term. Palmer is a member of the community group Valley Neighbors for Environmental Quality and Safety (VNEQs) with the website <http://www.coffinbuttefacts.org>. VNEQS members want a better plan for solid waste management in the County. Palmer felt that was the purpose of the WG, but Imperati was not leading in that direction.

III. Review and Approve Agenda

The following change was made to the agenda:

For ease of staff presence, Item 8.1 was heard immediately after Item 4.2

The following item was removed from the agenda:

Executive Session under ORS 192.660[2][e] – Negotiations for Property Transactions

IV. Work Session

4.1 COVID-19 Update from Department Operation Center – Suzanne Hoffman, April Holland; Health Services

Holland noted that reported COVID-19 cases have started to increase, with 117 per 100,000 of population statewide, up from 77 two weeks ago. There were 268 total COVID-19 hospitalizations in Oregon as of September 28, 2022, up 13% from the previous week. Hospitalizations are still much lower than the July 2022 peak at 464. In Hospital Region Two, there were 36 COVID-19 hospitalizations as of September 28, 2022. Throughout September 2022, Region Two hospitalizations ranged from 15 to 36 daily, averaging around 30. The latest Centers for Disease Control (CDC) reporting shows 5.4 admissions per 100,000 of population in Benton County, up from 3.1 two weeks ago. More increases are expected as people gather more indoors and schools resume. On the east coast of the United States, some areas with robust wastewater testing are reporting increased COVID-19 signals, which is associated with an increase of reported cases two-three weeks later.

Upcoming variants are all Omicron sub-variants: BA.2.75.2 has spread quickly in India, Singapore, and parts of Europe. Variant BQ1.1 is also increasing in many countries. The public should be prepared to increase protections. Holland urged all community members to get the new bivalent booster as soon as eligible. This week there are short-term delays receiving both bivalent boosters in Oregon, but appointments are available from providers and pharmacies. Oregon Health Authority (OHA) vaccination events will be held in Benton County this week and next week, and community clinics will be held as vaccine is available. In the County's first week of bivalent vaccine administration, over 2,000 doses were given; last week, over 2,100 doses were given, of which 1,900 were the bivalent booster. Sixty-three babies aged six months to one year were vaccinated last week. Health is prioritizing vulnerable populations by providing

vaccinations at long-term care facilities (LTCFs) through two mobile pharmacy teams and the OHA mobile vaccination team. Pharmacies and providers have increased their share of overall vaccinations given in the past two weeks. Layer protections as appropriate, such as wearing masks in crowded settings or when traveling, and seeking areas with good airflow. Emergency Use Authorization for bivalent vaccines for younger children could come as soon as October 10, 2022; providers are pre-ordering. Between now and October 31, 2022 is the time to get annual influenza shots. Healthcare systems remain strained in terms of hospital and LTCF bed availability.

Responding to a question from Malone, Holland shared that some variants are concerning due to evasion of monoclonal antibodies and other treatments.

Augerot asked if LTCF residents were being vaccinated by County or OHA mobile units.

Holland replied that the County and the State work with pharmacies to schedule LTCF vaccine clinics. If the commercial pharmacy is unable to do so, Cindy D'Angiolillo, Public Health, provides vaccinations. No LTCF is left without vaccines.

4.2 Update from Benton County Talks Trash (BCTT) Solid Waste Process Workgroup – Darren Nichols, Community Development Director

Nichols reported that the BCTT Workgroup (WG) met twice in September 2022. The third of eight scheduled meetings will occur on October 6, 2022. The WG attended tours of CBL and the surrounding neighborhood.

Imperati noted that numerous offline conversations led to the questions in his memo.

Nichols added that the WG has assembled subcommittees for more detailed conversations.

Imperati explained that the WG Charge is to provide common understandings to be used in any Conditional Use Permit (CUP) expansion application and in creating the Sustainable Materials Management Plan (SMMP). The documents Imperati provided on October 2, 2022 presented initial staff comments to the WG. The October 6, 2022 meeting will capture the WG's reactions to the staff work. The WG will create subcommittees for each major topic, to include volunteers from the WG and members of the public, which will vet the material, make recommendations, then send a condensed presentation to the WG. The same process will be used to create the table of contents for the SMMP. A legal subcommittee has been discussing extant law. Imperati has contacted County Counsel, Republic Services lawyer Jeff Condon, and Jeff Kleinman, attorney for a group of CBL neighbors.

Responding to questions from Wyse, Imperati clarified that there will probably also be a subcommittee on the Common Understandings Document. There is already a subcommittee about landfill size. Republic Services has responded to some information from that group, which has been shared with the WG.

4.3 Discuss Supplemental Budget 23041 – Jenn Ambuehl, Rick Crager, Financial Services

Ambuehl noted these corrections to the presentation:

- Page 18: the "Operations" line under the General Fund (GF) summary should read \$3,809,610. This item was correct in the Resolution text.

- Page 19: American Rescue Plan Act (ARPA) Fund summary operations should read \$9,079,937. This item will be corrected in the Resolution text.

Augerot noted that the Resolution should date should read October 18, 2022.

Ambuehl summarized funds in the 2021-23 biennium that needed adjustment:

- General Government Operations in the GF: net increase of \$1,709,335 in appropriations.
- Health Operations: increase \$2,069,461.
- Justice Services Operations: increase \$30,814.
- Transfers: increase \$513,000 for the transfer to the Building Development Reserve Fund.
- GF: decrease \$1,227,700.
- Contingency: decrease \$271,033
- Fair Fund: increase \$620,777.

Crager noted that the reserve portion will probably be reimbursed by funds from the Oregon Judicial Department; staff are still working on that agreement. No other reserves are being taken and very little Contingency.

Crager explained the County also has State ARPA funds and \$5.5 million in the General Fund for the Crisis Center. The County's new grants manager will provide a report on ARPA expenditures and outcomes. One area from the previous biennium was a \$450,000 deficit in external Fleet services (includes services to the City of Corvallis and various Fire Departments). ARPA funding will replace that revenue for that biennium, but more discussions about future Fleet revenue replacement will be needed.

Kerby noted that the County began tracking internal and external Fleet Services separately a few years ago. Providing external fleet services continues to challenge the County, despite rate structure changes. The County needs to adjust its business plan to ensure those agencies are funding the services.

The Board determined it was not necessary to review remaining supplemental budget details during the meeting.

Crager noted a \$23 million increase in the Building Development Reserve Fund, which is the State portion of Courthouse funding; the County also received an additional \$2 million.

MOTION: Augerot moved to forward this item to the October 18, 2022 Board Meeting for a public hearing. Malone seconded the motion, which **carried 3-0.**

4.4 Discussion of Benton County Code (BCC) Chapter 40 Amendment and Rural Community Engagement Regarding House Bill 4123 – Rebecca Taylor; Home Opportunity Planning Equity (HOPE) Project Manager

Taylor explained that BCC Chapter 40: Vehicle Camping at Religious Institutions has a sunset clause of December 31, 2022. In 2019, the Work Group on this topic came to the Board to discuss researching ideas for alternative sheltering in the community through code amendments or other programs. Since then, much community work has been done. New resources include House Bill (HB) 2006, which amended the Oregon Revised Statute (ORS) that Chapter 40 is based on, enabling more local autonomy, and HB 4123, which includes community outreach and engagement and a strategic planning process for internal operations related to homelessness.

There is a tight timeline for staff to amend chapter 40, with readings planned for November 1 and December 6, 2022.

Arena discussed outreach and engagement activities. Removing the sunset clause will provide more opportunities to educate and hear from rural partners and smaller cities. Staff have heard from the City Managers of Philomath and Monroe, and will meet with the Manager of Adair Village and a Monroe service provider. This includes education about Chapter 40 and changes, asking about other stakeholders to contact, and spreading the word about the pilot project to better coordinate homelessness response and prevention. Response so far has been very positive. Staff are also looking for religious institutions in rural areas.

Taylor noted this includes some internal engagement between the Work Group, Community Development, and the Health Department.

Collins explained that since the Conditional Use Permit for Unity Shelter's Safe Camp was approved in June 2020, the site has served 76 people, 39 of whom obtained housing or moved into other transitional housing programs. Only four have exited the program to return to homelessness. That is a strong rate of success. Outreach should emphasize the need to have a very engaged organization working on case management and connections to services. Unity Shelter now has 31 microshelters in six locations. Current code has a limit of three units, with no way to expand beyond the Conditional Use process. The City of Bend has code with a simple approval process for a small group of microshelters. The program could also be expanded beyond religious institutions; the City of Corvallis has also allowed businesses to host shelters. The current code serves a need and could work well in rural communities.

Augerot asked if staff propose removing the sunset clause between now and December 2022, then continuing to engage with rural communities on these other issues and whether changing the eligible property type and going beyond three units will address issues in those communities.

Taylor confirmed.

MOTION: Augerot moved to direct staff to prepare an Ordinance for Public Hearing to remove the sunset date of Chapter 40. Malone seconded the motion, which carried 3-0.

V. Consent Calendar

5.1 In the Matter of Appointing the following Advisory Board and Committee Members:

Disposal Site	Brent Pawlowski
Forestland Classification Committee	Jennifer Beathe, Pat Malone
Historic Resources	Mariapaola Riggio
Solid Waste	Brent Pawlowski
State Transportation	Hal Brauner, Janeece Cook, Greg Gescher, Heidi Henry, Nick Meltzer, Cameo Perrells, David Rabinowitz, Meredith Williams

5.2 In the Matter of Approving the August 16, 2022 Board Meeting Minutes

5.4 In the Matter of Approving the September 6, 2022 Board Meeting Minutes

5.5 In the Matter of Approving the September 8, 2022 Benton Corvallis Joint Work Session Minutes

MOTION: Augerot moved to approve the Consent Calendar of October 4, 2022. Malone seconded the motion, which carried 3-0.

VI. New Business

6.1 In the Matter of Proclaiming October 2022 as The Great Oregon Shakeout Month in Benton County – Bryan Lee, Emergency Manager, Benton County Sheriff's Office

Lee read the proclamation aloud, encouraging all community members, visitors, and business owners to create their own emergency management plan and participate in the event on October 20, 2022.

MOTION: Augerot moved to proclaim October 2022 as The Great Oregon Shakeout Month in Benton County, proclamation #P2022-019. Malone seconded the motion, which carried 3-0.

VII. Public Hearings

PH 1 *In the Matter of a Public Hearing to Consider Protest of Contract Award for Geotechnical Services – Gary Stockhoff, Public Works Director; Jim Maitland, Foundation Engineering, Incorporated

Chair Wyse opened the Public Hearing at 11:02 a.m.

Staff Report

Stockhoff explained that the County solicited proposals in August 2022 for Courthouse project geotechnical services. Seven proposals were evaluated by three independent reviewers and scores were averaged. The reviewers recommended awarding to contractor NV5. Contractor Foundation Engineering, Incorporated (FEI) submitted a protest citing bias concern. Staff, the independent consultant, and Counsel prepared a response stating that the scores were fair, independent, and appropriate. Stockhoff and Maitland discussed the response and Maitland decided to proceed with a protest. Staff recommend that NV5 receive the award and that the protest not be upheld. The reviewers were Stockhoff and two individuals from Oregon Training & Consultation (OTAC). OTAC gathers the scores and produces the form. The same process was followed for other recent contractor selections.

Wyse asked how many applicants were local versus non-local.

Stockhoff replied that FEI is local, while some others are close but not within the City of Corvallis. The County has other contracts with FEI.

Counsel explained that packet pages 154-167, including a list of projects, are the protest document submitted after the award was made. The list of projects was not included in the proposal.

Protestor

Referring to a handout (Exhibit 1), Maitland opined that the methodology used to award points did not follow the Request for Proposal (RFP) criteria. Maitland reviewed his background and credentials, then addressed certain RFP criteria.

- Local experience category: NV5 listed nine projects; FEI has 409 projects. Maitland described selected projects. FEI received 24 out of 25 points in this category, while NV5 was awarded 21.
- The local experience category also asked for experience working directly with Corvallis and Benton County. NV5 wrote, “Did not work much with the City, none with County.” FEI has worked with the City and the County for 40 years.
- Experience of design team: NV5 has one local project, FEI has 19. Every project NV5 listed as relevant experience was non-local. FEI balanced local and relevant experience for a total of 44 projects.
- Unique qualifications category: NV5 received 10 points, FEI received two points. ‘Unique’ is not defined in the RFP. NV5 listed “hire interns, listen, work hard.” Maitland did not feel these qualities were unique. FEI also hires interns. FEI listed local experience, work with City and County, experience with projects similar to the Courthouse, 40-year continuous local presence, rapid response time, and no travel or mileage costs. FEI’s office is a five minute drive from the site, whereas NV5 is 1.25 to 1.5 hours from the site. Based on average engineer cost for 2.5 hours round-trip travel time plus mileage, the County would pay \$400-450 extra per trip with NV5. Maitland estimated about 30 trips during the project, for a \$12-13,000 premium. This contract could be expanded for five years, increasing travel costs.

Maitland concluded that the local experience and uniqueness of FEI was not reflected in the proposal scoring.

Stockhoff commented that FEI’s protest stated, “For the sake of brevity we have selected one RFP category to make our assertion, which is local experience.” There were six categories. Staff are not questioning FEI’s experience. FEI was judged to be slightly deficient in one category, but that category was not part of FEI’s protest. Even if the local experience scores were changed, which Stockhoff did not recommend, FEI would not have the most total points.

Maitland stated that FEI scored only four points lower than NV5 in total. If local experience points were awarded proportionately, NV5 would score much lower.

Wyse asked if FEI received the highest points for local experience of any proposer.

Stockhoff confirmed.

Augerot asked if the complaint only addressed local experience, so that uniqueness was not relevant to this public hearing.

Counsel confirmed.

Public Comment

No comment was offered.

Chair Wyse closed the public hearing at 11:30 a.m.

Deliberations

Wyse noted that local experience was not the only criterion. The proposals were independently evaluated using fair and non-biased methodology, and the RFP selection was qualifications-based. Trips do add up, but in the context of this hearing, the evaluation criteria were met by the County.

Malone did not feel comfortable rejecting the committee's recommendation on the basis of a one-sided presentation. Malone concurred with the original committee.

Augerot also supported the evaluation process that was undertaken. Being nearby can be very important, but that was not the basis of the protest.

Wyse expressed appreciation for FEI as a local business that contributes to a vibrant community.

Augerot observed that since this is the beginning of a larger project, it might be worthwhile to reopen the contract after this phase.

{Exhibit 1: FEI/NV5 Comparison Handout}

MOTION: Malone moved to reject the protest submitted by FEI and that contract negotiations with the successful proposer commence. Augerot seconded the motion, which **carried 3-0.**

VIII. Old Business

8.1 *Questions Raised by the Board of Commissioners and Facilitator Relating to the Benton County Talks Trash (BCTT) Workgroup (WG) – Darren Nichols, Community Development

Wyse shared an outline of discussion points (Exhibit 2) addressing Imperati's questions from the staff report. Involved bodies include the Solid Waste Advisory Council (SWAC), the Disposal Site Advisory Committee (DSAC), the Planning Commission (PC), the BCTT WG, and associated bylaws, County code, and Oregon Revised Statutes. Question one: "What should the relationship be between appointees of the PC and the SWAC/ DSAC and their appointing bodies? What are the roles and responsibilities of the representative members to their appointing bodies and vice versa?"

Wyse mentioned some WG member feedback that funneling input from other groups through these appointees may violate the One Table rule. Wyse referred to WG charter section d.10: "one commitment of the WG member from an organization or interest group is to consult regularly with their organization/group and provide their input in a clear and concise manner." The section on regular communication with affiliated groups states: "There is an expectation of regular two-way communication between a WG member and their organization/interest group. This is intended to ensure meaningful representation of those interests. Time will be set aside on the WG agenda for reports from this outreach." So the role is a liaison, where the appointed body gives feedback to the WG member. Wyse asked how this is actually working in practice.

Augerot's understanding was that those individuals were liaisons and were to go both directions, reporting to their committee and bringing that feedback to the WG. What is not working is the email conversations happening between meetings rather than at the consensus table.

Wyse agreed.

Malone agreed that the side conversations and distractions were a problem. The WG is limited duration and should focus on the WG Charge and the One Table approach. Malone asked if staff had capacity to work on the WG, SWAC, and PC simultaneously.

Nichols replied that Community Development does not have capacity for multiple tables and staff feel spread thin. The initial assessment advised focusing on how and what the County should do. Community and staff need to determine that; then the Board can provide direction, which may involve more staff time to carry out.

Augerot was distressed with how the process was unfolding. Much of this conversation should have been held with the community during the franchise renewal process, but because of COVID-19 and the lack of internal historical record about CBL and past expansions, some decisions were made in a vacuum. Now the County is asking the community to help build a bridge, considering what information will be needed to review a Conditional Use Permit (CUP) application from Republic Services (RS). A larger conversation about solid waste in the community and the role of the landfill is also needed, but the County deliberately divided the process into two parts: the WG, and engaging the outside consultant to help create the SMMP. The latter will involve additional public process. The Board is considering how to stop talking about process and focus on the work, and whether to extend the process.

Wyse agreed and expressed a committed to doing better.

Augerot and Malone affirmed a commitment to doing better.

Wyse asked Imperati how the liaison role is going for WG members to other groups.

Imperati replied it is challenging to create a process that will satisfy everyone's interests. The One Table is a matter of efficiency, but has become a debate where the process and resistance to developing the Common Understandings Document (CUD) has interfered with the WG's function.

Wyse raised two options: keep the appointee role from appointed bodies as is and tell WG members to stop side conversations and focus on communication at meetings, or forbid any back-and-forth communication.

Augerot felt the two-way liaison role was ideal, but the Board needs to reduce staff workload. The Board could pause the SWAC so Daniel Redick (Community Development) can focus on the WG, and have the PC focus on the other projects for now.

Wyse concurred. Wyse asked whether to keep or change the liaison role as defined by the WG Charter.

Augerot noted that every WG member is a liaison to colleagues and neighbors. The SWAC and PC roles are the biggest friction point. Augerot suggested canceling SWAC meetings for now.

Imperati agreed the liaison role is essential; the problem is that some WG members are trying to access the SWAC and PC to influence or take over the WG.

Wyse summarized the intention to leave the appointee role as is, and to send a message that the Board wants two-way communication through the liaison between the appointed body and the WG, not outside communication.

Malone concurred. Trying to change the direction of the WG mid-stream is not acceptable.

Augerot stated the Board felt this bridge was necessary to have the minimum helpful information for a CUP application. It is not the long-term discussion of the future of the landfill. Changing the process dramatically mid-stream will keep the group from getting anything done.

Wyse concurred. Question two: “What issues should be directed to the One Table described in the WG Charter, and what if any questions should be discussed at other tables during the WG process? Should the other issues be discussed while the WG is underway, or postponed?” Wyse opined that the WG should discuss topics 2.a.-e. in the WG Charter and Bylaws, with other topics to be discussed by other bodies.

Malone agreed about elements 2.a.-e. and emphasized keeping other topics to a minimum.

Augerot felt that given the interest in scoping the SMMP and the need to focus on the CUD and criteria for land use process, items d. hauling franchise preparation and e. education campaign were less urgent. The WG already ranked items a.-c. as top priority. The big discussion about the future of CBL will happen during SMMP development this winter, but the table of contents (TOC) written by the WG will inform that process greatly. Popp and others also mentioned the need to keep County 2040 values in mind while creating the TOC.

Wyse asked if the Board should say whether other bodies can talk about d. and e.

Imperati commented that everyone agrees on the need for the TOC to scope the SMMP. Tension arises from the desire to make substantive recommendations on those topics. Should our values be consistent with Vision 2040, or is the goal to reduce the amount of waste in three ways, of which the WG prefers the second.

Wyse requested clarification about which topics are on the One Table.

Augerot preferred items a.-e., to get a sense of community values, but not to decide what the plan is. Going to three levels and choosing one is too far.

Wyse and Augerot agreed that the conversation should happen at the One table.

Malone would prefer to get all five charge elements at least started in discussion.

Augerot clarified that a.-c. should be a priority, not the only tasks. This process is about building consensus about the facts in those five areas; there is a need to allow WG members to express their values in item c., but also create the product.

Wyse agreed. Question three: “What are the mandatory responsibilities and basic legal requirements of the PC, SWAC, and DSAC?” The bodies’ goals can overlap. The PC is also the board of the Committee for Citizen Involvement (CCI); Imperati’s document asked if the CCI holds separate meetings.

Nichols replied that those responsibilities are rolled into one PC function.

Wyse noted the role of the PC in ORS and Benton County Code is brief and open. The document asked if land development code goes into more detail about PC actions and activities.

Nichols confirmed.

Wyse asked if SWAC/DSAC should continue to meet while the WG is creating the draft document, or should pause for one-two months till that document is ready.

Malone would prefer for staff to determine that.

Augerot felt it makes more sense to let the One Table to do its work, allowing staff to fully focus on that.

Wyse noted that the Board of Commissioners has the authority to cancel a meeting or work session.

Malone asked about staff workload.

Nichols noted that key staff of the SWAC and the PC were not present. Nichols stated it was very important to maintain the two-way liaison role; however, when WG members opine at those separate bodies, the One Table starts to fragment. Nichols asked the Board to make clear that if SWAC/DSAC and the PC meet between now and when the WG is finished, those bodies should focus on the liaison role, and when the WG has product for review, staff would encourage discussion at those tables about the product.

Responding to a question from Wyse, Nichols replied that DSAC had met five times this calendar year and completed its annual report in July 2022.

Counsel asked if the PC had any upcoming application hearings which would require a meeting between now and the end of 2022.

Nichols replied that the PC is in a legislative hearing process for the Adair Village Urban Growth Boundary, and will meet October 11, 2022 and probably one more time. One or two appeals of prior decisions are also expected.

Wyse noted that comments from the chat will be read after the meeting.

MOTION: Wyse moved that the Board of Commissioners cancel SWAC/DSAC meetings until a draft document comes from the BCTT Work Group for their review.

Augerot asked if SWAC/DSAC would not meet until there was a draft of the entire volume of work to be done.

Wyse proposed to amend the motion: when the WG deems it necessary to get SWAC/DSAC feedback.

Augerot proposed: when there is a substantial draft of the body of work from the BCTT WG.

Malone concurred.

Counsel suggested: cancel SWAC/DSAC meetings until there is a substantial document or information for those two bodies to review on behalf of the WG.

Wyse revised her motion as suggested by Counsel.

Augerot seconded the motion as amended by Counsel, which **carried 3-0.**

Regarding expectations for the appointed body, Wyse summarized that the Board expects the body to have One Table conversations about items a.-e. The PC still needs to meet. Question four: “What steps would the Board like to take when roles or expectations not filled or items identified in the charter are not met?” Wyse opined that in situations where a WG member cannot or will not meet expectations, as determined by the Board, the Board will remove the member from the WG. If a situation arises where a WG member is from a County organization/ interest group, the Board will consider removing the individual from the County board/ committee/ council.

Malone noted that the Board has the authority to remove members from any committee.

Wyse agreed and specified wanting to provide direction to any appointed community members.

Augerot concurred with Wyse. While Augerot disliked the notion of removing anyone from the WG, but the group needs to focus on the Charter and tasks. The primary reason Augerot would consider removal would be if that person cannot stand by the Charter that was in place at the beginning.

Wyse agreed. Wyse did not want to remove anyone, but felt it is necessary to send the message that the Board wants WG members to work on the scope and the Charge; if a member cannot or will not do so, the Board will have to remove that member as laid out in Chapter 3: Citizen Committees. The WG Charter and Bylaws state under 8. Facilitator: “The BOC gives broad authority to the facilitator to interpret this document and guide the WG accordingly. The facilitator will adjust situations where it appears the WG member is not acting according to the document.”

Wyse read Imperati’s question: “To what extent, if any, does the Board want to add, remove, or edit the charge elements?” Wyse noted that while there were some concerns about items d. and e., the Board does not want to make changes at this time.

Malone and Augerot affirmed.

Wyse read Imperati’s question: “To what extent if any do you want the WG to make a recommendation on a. whether or when CBL should be closed, b. reducing the amount of waste going into the landfill, c. options for the County’s solid waste future?”

The Board deliberated and concluded that they did not want the WG to make recommendations on whether to close CBL. These topics will be addressed after the WG bridge process.

Regarding Imperati’s question “Could a community member be added to the agenda,” Wyse felt individuals may comment during the public comment period, or submit comments in writing, but should not be added to the agenda unless requested by the WG as a whole, by a majority vote.

Augerot and Malone concurred.

Malone noted hearing some criticism on Imperati’s role as facilitator. Malone expressed confidence and support for Imperati in this effort.

Augerot acknowledged that a community-wide conversation on solid waste issues in the County is very overdue, hence community frustration, but some of that work must be deferred until after the bridge process. The Board asked for a minimum set of information to review another CUP application. Please respect that need so the Board has a balanced set of information as the County creates its SMMP.

Wyse summarized: Wyse will attend the next WG meeting and convey that the Board is keeping the liaison roles, but conversations need to be held to the intent of the One Table, not multiple conversations in multiple places. The Board will cancel SWAC/DSAC meetings until further notice. If a WG member cannot meet expectations, that individual can be removed. The Board will not edit or change the charge elements or prioritization.

Wyse recessed the meeting at 10:54 a.m. and reconvened at 11:00 a.m. with Public Hearing 1.

{Exhibit 2: Wyse Discussion Notes for Item 8.1}

IX. Other

No other business was discussed.

IX. Adjournment

Chair Wyse adjourned the meeting at 12:19 p.m.

Nancy Wyse, Chair

Erika Milo, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

MINUTES OF THE MEETING

BENTON COUNTY BOARD OF COMMISSIONERS

Zoom link: <https://us06web.zoom.us/j/87313368515?pwd=MHVVZVJxa2JCbXRCOVJ2QlFkbnpZOT09>

Livestream: <http://facebook.com/BentonCoGov>

Tuesday, October 18, 2022

9:00 a.m.

Present: Nancy Wyse, Chair; **Xanthippe Augerot**, Commissioner; **Pat Malone**, Commissioner; **Vance Croney**, County Counsel; **Rick Crager**, Acting County Administrator/ Chief Financial Officer

Excused: **Joe Kerby**, County Administrator

Staff: **Jenn Ambuehl**, Finance; **Jen Brown**, Sustainability; **Katie Cooper**, **Ricky Garcia**, **Suzanne Hoffman**, **April Holland**, **John Pegg**, **Damien Sands**, Health; **Marriah De La Vega**, **Amanda Makepeace**, BOC Staff; **Lindsey Goodwin**, **Nick Kurth**, Justice Systems Improvement Program; **Cory Grogan**, Public Information Officer; **Toby Lewis**, **Darren Nichols**, **Rebecca Taylor**, **Greg Verret**, **Inga Williams**, Community Development; **Tracy Martineau**, Human Resources; **Erika Milo**, BOC Recorder; **Jef Van Arsdall**, Sheriff

Guests: **Celinda Adair**, Department of Land Conservation & Development; **Patricia Benner**, **Ken Eklund**, **Tony Howell**, **Kevin Kenaga**, **Justin Lewis**, **Peggy Lynch**, **Debbie Palmer**, residents; **Jake Downer**, AFSCME; **Chris Edmonds**, Coastline PR; **John Harris**, Horsepower Productions; **John Horvick**, DHM Research; **Sam Imperati**, ICM Resolutions; **Julie Jackson**, **Ginger Richardson**, Republic Services; **Alex Powers**, Mid-Valley Media; **Branden Pursinger**, Association of Oregon Counties; **Lynn Schmidt**, Washington Department of Ecology

Chair Wyse called the meeting to order at 9:01 a.m.

I. Opening:

A. Introductions

B. Announcements

No announcements were made.

II. Comments from the Public

Patricia Benner, resident: Benner was involved in the Van Buren Bridge Project. Even though the old bridge will be discarded, a Willamette River crossing solely for bicycles and pedestrians would be valuable in the City of Corvallis. Data shows that vehicles regularly cross the current single lane bridge at 40-45 miles per hour. Benner urged the community to actively pursue a new bridge that separates bicyclists and pedestrians from vehicles and accommodates all users, including people with disabilities.

III. Review and Approve Agenda

No changes were made to the agenda.

IV. Work Session

4.1 Recognition of Toby Lewis as Northwest Floodplain Management Association (NFMA) Outstanding Individual of the Year – *Darren Nichols, Director of Community Development*

Nichols formally recognized Lewis for outstanding work for Benton County over the last 21 years. NFMA includes colleagues throughout the northwest United States.

Schmidt shared that Lewis was nominated by peers for outstanding leadership in floodplain management and community service on mitigating flood risk. One person is nominated for the award at the annual NFMA conference.

Lewis began work for the County as an intern and has enjoyed building a program that protects floodplains, people, and structures.

Nichols shared a Gazette-Times newspaper article which noted, “a student intern [Lewis] did the work to get Benton County into the National Floodplain Insurance Program.” Lewis is a senior planner teaching the next generation of planners.

Wyse thanked Lewis.

4.2 COVID-19 Update from Department Operation Center – *Suzanne Hoffman, April Holland, Health Services*

Holland explained that COVID-19 case numbers have declined slightly statewide, but increases are expected soon. It is hoped that the new bivalent vaccine boosters may mitigate increased respiratory infections due to waning immunity and indoor gatherings. The Centers for Disease Control (CDC) reported case rate is 112 per 100,000 Benton County residents, down from 117 two weeks ago. There are 248 COVID-19 hospitalizations in Oregon, down from 268 on October 4, 2022. In Hospital Region Two, there were 23 COVID-19 hospitalizations as of October 12, 2022. Regional hospitalizations in October 2022 have averaged 31 per day. CDC data shows 2.2 COVID-19 admissions per 100,000 residents in Benton County, down from 5.4 two weeks ago. Hospitalizations in the United States have remained fairly flat, but have increased in most European countries, reaching the level of the BA.4/BA.5 variant wave. Current Oregon Health Sciences University modeling shows increased transmission in the next two months, with the expected wave to peak at 613 hospitalizations statewide on December 13, 2022. Wastewater surveillance in Oregon is mostly unchanged. Last week, bivalent boosters were expanded for younger age groups. Benton County has the highest bivalent booster uptake in Oregon for residents age 65 and over, at 37.3%. The statewide rate is 15.6%. Benton County also has the highest rate for people ages 50-64. Holland encouraged everyone to get a booster and an influenza shot to avoid further straining healthcare systems.

Malone asked about the turnaround time on overseas data.

Holland replied that hospitalization and reported case data is fairly current, but it depends on the country.

Malone congratulated Health staff on a successful Fairgrounds booster clinic last week.

4.4 Discuss Private Forest Accord Legislation and Oregon Department of Forestry Rulemaking – *Branden Pursinger, Legislative Affairs Manager, Association of Oregon Counties (AOC)*

Pursinger described an issue facing Benton County due to Oregon Department of Forestry (ODF) implementation of Senate Bill (SB) 1501, the Private Forest Accord (PFA), which was passed in 2021. To achieve the regulatory certainty that industry wanted while adding protection for animal habitat and species that environmental and conservation groups wanted, SB 1501 changes how forestlands are managed. This has caused the Oregon Forest Practices Act (OFPA) to be opened for revision. The OFPA sets the standards for activities involving establishment, management, or harvesting of trees in Oregon's forestland. Some changes called for in the PFA include increased and added protection for stream buffers, new requirements for inventory management of forest roads, increased tree retention on steep slopes, increased protection for fish and amphibian habitat, and creation of a Habitat Conservation Plan (HCP). This HCP is separate from the HCP that ODF is developing for State forests.

The Board of Forestry (BOF) met on August 24, 2022 and told ODF to open the public comment period for these changes to the OFPA. On October 26, 2022, the BOF will formally adopt the changes. An HCP is a planning document which accommodates economic development to the extent possible by authorizing the limited and unintentional take of a listed species when it occurs incidental to otherwise lawful activities. An HCP is designed to help land owners and provide long-term benefit to certain habitats and species. Seven Oregon counties own or manage their own forest land, including Benton County's Memorial Forest. ODF has indicated that even though the SB 1501 changes were from the PFA, the OFPA will be amended and these changes will be placed on all forest lands, public or private. Counties will be subjected to the new rules but without the legal protection; because these are public forests, Counties are not eligible for HCP Incidental Take Permits (ITPs). Last week, Pursinger met with the Chairs of the seven counties and a PFA author to discuss this. Pursinger presented two options: 1. Work with ODF and PFA signatories to extend the ITP option to County public land. 2. Work to amend County forestland out of the PFA. Pursinger asked if ODF would offer the counties an ITP option, but ODF refused, saying counties must be all in or all out. The AOC Chair is asking the rest of the AOC Executive Board how AOC should proceed. Pursinger is not making a recommendation, just presenting options.

Augerot noted that the lead staff person on the Benton County Forest Management Plan (FMP) is out on leave, but the Board will make sure that person is aware of the issue. Augerot would prefer extending the HCP with its ITP to Counties, not opting out of the PFA altogether.

Malone asked if 'Benton County's Memorial Forest' referred to Beazell Memorial Forest.

Pursinger confirmed.

Augerot added that the County FMP also covers some woodlands on Fort Hoskins and Fitton Green Natural Area.

Malone agreed with Augerot that the counties should have the same protections as private forests.

Pursinger noted that the October 6, 2022 ODF meeting will determine who is subject to the OFPA changes, then a meeting on November 16, 2022 will initiate the HCP and determine who is eligible for ITPs.

Malone asked how the other six counties that manage their own land are proceeding.

Pursinger replied that Douglas, Hood River, Curry, and Coos Counties prefer to be covered by the ITP under the HCP. Pursinger still needs to check with Josephine and Clackamas Counties.

Wyse concurred with Malone and Wyse, preferring the first option.

4.5 *Update from Benton County Talks Trash (BCTT) Solid Waste Process Workgroup (WG) – Darren Nichols, Community Development Director

Imperati provided a proposal (Exhibit 1) including an overview of the BCTT WG subcommittee meetings and potential WG meeting dates for the rest of the project. The WG is scheduled to deliver its final report to the Board on December 15, 2022. This proposal shifts that deadline to March 3, 2023 or March 24, 2023, depending on Board direction regarding high-level benefit cost work and getting Conditional Use Permit (CUP) conditions from other jurisdictions with landfills, which would require another meeting. Much of the work needs to be handled in subcommittees. This was an aggressive schedule, and conflicts among members made it difficult to keep on task. Subcommittee One will deal with WG Charge A. The Past CUP Conditions Subcommittee includes members of the public. There is a subcommittee combining Charge A.3 legal issues that are part of the Common Understandings, and Charge B.1 land use review process. Staff have worked a great deal on these. There is also a subcommittee on scoping the Sustainable Materials Management Plan (SMMP). Documents will be vetted by subcommittees between WG meetings, then presented to the WG for polling, with the result going into the final report. There will be one or two meetings per subcommittee between WG meetings.

Augerot praised the plan as thoughtful, thorough, and responsive.

Malone agreed it made sense to give the WG more time to create a final report, while emphasizing the need to stay on task.

Imperati shared that Republic Services (RS) strongly prefers the existing schedule, but Imperati's conversations with RS only started yesterday. RS has a representative on call. As facilitator, Imperati wished to stay neutral.

Wyse asked if the Board wished to invite an RS representative to speak.

Augerot did not have strong feelings about a representative. Augerot strongly preferred the proposed timeline, to allow time for more work and community building.

Nichols recommended against an ad hoc conversation between one WG member and the Board, as this would undermine the spirit of the work.

Imperati noted that the decision on the two March 2022 end dates is beyond the scope of today's question. There are also budget ramifications that staff are not prepared to present to the Board.

Malone wanted to know the overall cost of changing the deadline before deciding.

Augerot did not feel this decision was budget-contingent and would rather have the report be substantive and meaningful.

Malone asked staff to inform WG members that staff time and facilitator time are not free.

Wyse stated that another Board conversation could be scheduled, and asked when staff would need to know about the deadline.

Imperati requested a decision by the next WG meeting on October 27, 2022. Imperati proposed proceeding with the listed subcommittee meetings between October 19 and 27, 2022 .

Wyse replied the Board will work on that, schedule to be determined. Wyse also wanted to make sure this is done right and agreed with Augerot that the change in cost is probably not an issue, but wanted to see cost information and give the County Administrator a change to weigh in.

Nichols and Imperati agreed to bring a more detailed work plan with budget to the October 25, 2022 Board Meeting. Nichols noted this is the beginning of a much bigger project to address the future of solid waste. An arbitrary stopping date for the WG is necessary to move into the larger planning, but the WG is not going to create a SMMP.

{Exhibit 1: Proposed BCTT Meeting and Subcommittee Work Plan}

Chair Wyse recessed the meeting at 9:58 a.m. and reconvened at 10:05 a.m.

4.6 *Update from Justice System Improvement Program – Nick Kurth, Lindsey Goodman, Justice System Improvement Program

Kurth shared an updated JSIP milestones document (Exhibit 2). Since the last report, staff shared a qualitative survey with the community, which has received a huge response and will stay open through October 2022. Another Community Safety Forum will be held tomorrow. Final costing for the Community Safety and Justice Campus facilities will be available from architects DLR Group in late October 2022. Kurth has also asked Garcia and Gary Stockhoff (Public Works) for Crisis Center costing no later than mid-November 2022.

Crager supported the advanced schedule which allows Finance to refine financing and funding options.

Goodman shared that staff have contacted 32 stakeholder organizations about small group meetings and moved into a priority two category. Staff have completed three meetings, have nine scheduled, and four in process. Staff hope to finish stakeholder meetings by December 5, 2022, followed by a quiet period, then resume in January 2023.

Kurth explained that once the Board starts deliberating on the bond package, it makes sense to pause presentations until the final decision, hence the quiet period. In January 2023, Kurth will work with the Oregon Secretary of State on final bond language and safe harbor language.

Malone shared a community member's feedback supporting the JSIP concept but saying the County should keep the project simpler and cheaper. Malone noted that this process started in 2018 with many community forums. It is important to show the history of community engagement and listening.

{Exhibit 2: JSIP Milestones Document}

V. Consent Calendar

5.1 In the Matter of Appointing the following Advisory Board and Committee Members:

5.2 In the Matter of the Following Road District Nominations:
Oakwood Heights: Eleanor Love
Ridgewood: Tony Vander Heide

MOTION: Malone moved to approve the Consent Calendar of October 18, 2022. Augerot seconded the motion, which **carried 3-0.**

VI. Public Hearings

PH1 In the Matter of Conducting the First Reading for the Ordinance Removing the Sunset Date of Benton County Code Chapter 40 – Rebecca Taylor, Home, Opportunity, Planning, & Equity (HOPE) Project Manager

Chair Wyse opened the Public Hearing at 11:00 a.m.

Staff Report

Taylor explained that the Board directed staff to remove the December 31, 2022 sunset clause from Chapter 40: Vehicle Camping at Religious Institutions in Unincorporated Areas of Benton County.

Verret noted that the sunset date was originally included to see what challenges and concerns arose during the program. Staff are not aware of any significant issues that have arisen.

Malone praised staff for setting up a good program.

Augerot added this reflects well on community partners, who provide the locations and services.

Public Comment

No comment was offered.

Chair Wyse closed the Public Hearing at 11:05 a.m.

MOTION: Malone moved to conduct the first reading of the Ordinance removing the sunset date of Benton County Code Chapter 40. Augerot seconded the motion, which **carried 3-0.**

Counsel read Ordinance #2022-0312 aloud (short title). Second reading to occur November 1, 2022; effective date December 1, 2022.

PH2 In the Matter of a Public Hearing to Discuss Supplemental Budget 23041 – Jenn Ambuehl, Financial Services

Chair Wyse opened the Public Hearing at 11:08 a.m.

Staff Report

Ambuehl explained that nine funds require amendment in the 2021-23 biennium. Operations increased \$42,484,525. General Fund reserves decreased \$1,227,700. Transfers decreased in two funds for a total of \$16,935. Three funds in Contingency decreased a total of \$4,536,033.

Public Comment

No comment was offered.

Chair Wyse closed the Public Hearing at 11:09 a.m.

MOTION: Malone moved to adopt the Resolution in the matter of Supplemental Budget 23041. Augerot seconded the motion, which **carried 3-0.**

VII. New Business

7.1 Discussion and Decision Regarding American Federation of State, County, and Municipal Employees (AFSCME) Memorandum of Agreement (MOA) for Behavioral Health Workforce Incentives – Tracy Martineau, Director of Human Resources; Ricky Garcia, Outpatient Administration Manager

Martineau shared that the MOA was the result of negotiations with AFSCME related to the House Bill 4004 grant, which was awarded to the Behavioral Health team for recruiting and retention incentives.

MOTION: Malone moved to approve the Memorandum of Agreement with AFSCME for the terms of distributing the House Bill 4004 workforce incentives. Augerot seconded the motion, which **carried 3-0.**

7.2 Letter of Intent: Inclement Weather Shelter Funding Opportunity – Suzanne Hoffman, Director of Health Services

Hoffman explained that the County has provided Home, Opportunity, Planning & Equity (HOPE) Program updates at joint meetings with the City of Corvallis. County and City Emergency Managers and Benton County Public Health have collaborated on a project to provide inclement weather (winter warming) shelters for people who are unsheltered or houseless. Staff asked to submit a Letter of Intent (LOI) to Corvallis requesting funding. The deadline is October 19, 2022. The HOPE Program budget has \$50,000 set aside from American Rescue Plan Act funds granted by the Board, some of which was designated for two limited duration staffing positions (project manager and grant writer/researcher). Taylor is the project manager. Staff were unable to hire a grant writer/researcher, so have contracted with Libbi Loseke Winter. Health has additional funds that could cover this shelter, but \$50,000 will start the project, even if staff do not locate other funds. Corvallis has also put out \$1 million to increase shelter, transitional housing, and permanent supportive housing. The LOI requests \$250,000 to lease a space year-round in case of cold, heat, or smoke. Staff to issue a Request for Proposals in late October 2022; however, service providers are at capacity, so it is possible the County will not receive a proposal. Plan B is to staff the shelter with County staff and volunteers. Staff estimated budget, minimum staff, and maximum trained volunteers based on Lane County's Egan Warming Center, a low-barrier environment.

Malone asked if the \$50,000 set aside would be in addition to the \$250,000 grant from the City.

Hoffman confirmed. That will show the County is committed moving forward with extant funds. The City wants the recipient to utilize funds as soon as possible.

Augerot asked if the City would continue to partner with the County to support this level of seasonal sheltering.

Hoffman shared that City partners are asking the City Council whether the County could request three years' worth of funds if others do not apply or if this use is deemed a priority. A three-year lease on a site would be easier to secure. There may also be other funding sources, particularly for smoke sheltering.

Pegg mentioned that in 2023 and beyond, Oregon Department of Human Services funding may become more flexible and could support a sustainable weather and smoke shelter option. Once the County shows this is a functional model, staff can apply for more funding.

Augerot asked what would happen if the County could not expend funds by the expiration date.

Hoffman did not have that information. Hoffman noted today's document is an LOI, not an application for funds.

Crager added that these funds come to Corvallis through an Oregon Legislature appropriation from the General Fund. The Legislature often puts a time limit on special appropriations, but that type of funding is usually fairly flexible.

MOTION: Malone moved to grant permission to submit the Letter of Intent to apply for shelter funding from the City of Corvallis. Augerot seconded the motion, which **carried 3-0.**

Augerot hoped to see more proposals from Health now that the County has a grant worker.

Hoffman concurred and will work with Crager on submitting requests to the Board.

7.3 Designating Damien Sands as Benton County's Community Mental Health Program Director – Suzanne Hoffman, Director of Health Services

Hoffman explained that on May 3, 2022, the Board designated Ashley Talamantes as acting Director of Mental Health (also known as Behavioral Health). Talamantes was hired in August 2022. The Oregon Health Authority paperwork process took time. Damien Sands meets State requirements for Community Behavioral Health Director.

MOTION: Augerot moved to appoint Damien Sands as Behavioral Health Director. Malone seconded the motion, which **carried 3-0.**

7.4 In the Matter of a Resolution to Delegate Authority to the Chief Financial Officer and County Administrator on Approving Reimbursement Declaration for Tax-exempt Debt – Rick Crager, Director of Financial Services

Crager explained that Internal Revenue Code has provisions for organizations to issue tax-exempt bonds. One provision is that the County must put forward a declaration of its intent to use tax-exempt proceeds for reimbursement. Any time a government wishes to issue tax-exempt debt, it allows the County to put this in place, and any time 60 days prior to that declaration, the County can get reimbursed for those expenses once the bonds are issued. This is not the authority to issue bonds, which remains with the Board, simply a provision that allows the Chief Financial Officer (CFO) or the County Administrator to issue this intent so the County never loses a reimbursement opportunity. Crager has not determined the exact type of funding that will be used, but tax-exempt bonds are typically the most efficient. In the past, whenever there was a declaration, staff had to come before the Board. The Resolution was modeled after Deschutes

County. Staff will likely put a declaration in place in the next two weeks due to upcoming expenses. County Counsel and Bond Counsel have reviewed the item.

Malone requested an an example of a reimbursement scenario.

Crager explained that for the new Courthouse, the County must provide a match to the Oregon Judicial Department; Crager modeled tax-exempt debt for that. Finance is creating contracts for survey work, permits, and construction, all of which are reversible with tax-exempt debt.

MOTION: Malone moved to delegate authority to the CFO and County Administrator to approve, when necessary, all Declarations of Intent to Reimburse under Section 1.150-2 of the Federal Income Tax Regulations on behalf of Benton County and without further action by the Board of Commissioners of the County. Augerot seconded the motion, which **carried 3-0.**

Malone asked if it was necessary to approve the Resolution, as the motion did not mention the Resolution.

Crager stated that Malone's motion approved the Resolution.

Counsel confirmed.

7.5 Discussion and Decision to Implement Zero Fee for the Benton Area Transit (BAT) Program for Those 65 and Older – Rick Crager, Director of Financial Services

Crager explained that BAT provides transportation for seniors age 65 and older and certain disabled populations, currently limited to particular areas of the Cities of Corvallis and Philomath. For a fee, the program also provides rides for seniors and people with disabilities outside that area. Dial-a-Bus was administering the fee collection, but the process was inefficient and confusing. To improve efficiency, the County began making changes in March 2022 and will take on the billing process. Typically, the County bills \$2,000 per month for these rides but only collects about 40%. Staff propose providing fareless rides for out-of-area seniors and people with disabilities between September 1, 2022 to June 30, 2023. The County would normally bill \$20,000 for those services but collect \$14,000. This is less than 3% of the BAT budget, which is mainly funded by Oregon Department of Transportation and Federal resources. Staff propose to seek State Transportation Improvement Fund (STIF) funding to backfill. However, Crager found the County could finance this proposal in the current budget regardless of STIF funding. The end date will allow staff to evaluate results; for instance, fareless rides could cause ridership and costs to increase. Steve Harder, Dial-a-Bus, fully supports this effort, as do Stockhoff and staff. This would also assist vulnerable populations who cannot afford \$7 for a ride.

Wyse appreciated the backfill options and encouraged staff to work with DAB to be on the same page and strengthen that relationship.

Malone asked the County's costs for billing these riders.

Crager replied that billing costs about \$1,000 per month, meaning the proposal would cause a net \$4,000 loss over 10 fareless months.

Wyse asked if STIF funding would cover \$20,000 or \$14,000.

Crager replied that Finance would try to recover a cost between those numbers.

MOTION: Augerot moved to discontinue charging a fee for BAT Lift service to seniors that are 65 and older and people with disabilities located outside of the Corvallis and Philomath paratransit boundaries. This would be retroactively effective to September 1, 2022 and continue until June 30, 2023 at which point the feasibility of continuation will be evaluated. Malone seconded the motion, which **carried 3-0.**

Chair Wyse recessed the meeting at 11:10 a.m. and reconvened at 11:15 a.m.

VIII. Departmental Reports and Requests

8.1 Justice System Improvement Program (JSIP) Survey #2 Results – Nick Kurth, JSIP Manager

Kurth explained that initial JSIP surveys were conducted in May 2022 and mid-September 2022.

Horvick explained that the goal was to generate support for the JSIP bond on the May 2023 ballot, identify voter priorities for key bond elements, and gauge voter price tolerance for bond options. Horvick described survey methodology. There were 400 respondents, with quotas by age, gender, party, and location to create a sample similar to the likely May 2023 electorate. Margin of error was 4.9%.

Voters continue to be split but leaning towards the negative in outlook on Benton County, but are more optimistic than voters in the rest of Oregon. Voters continue to say homelessness (29%), housing affordability (15%), and crime/public safety (10%) are the County's biggest issues. Communities statewide have said homelessness is the top issue. Voters see these as connected issues. Other Benton County issues included climate change/environment, government/politicians, and taxes.

The survey tested two hypothetical bond measures, with and without homelessness services. Younger (ages 18-44) voters, women, and Democrats are more supportive of any bond measure, but the bond measure with homeless services is the only version that also gains the support of men and non-affiliate/other party voters. The bond is unlikely to pass without homeless services, even an alternative bond that would cost taxpayers less.

Respondents were polled on a sample bond measure, given additional information, then re-tested. Respondents were randomly assigned bond version A or B. Version B asked, "Shall Benton County issue up to \$95 million of general obligation bonds paid by property taxes for mental health, public safety, and homeless services facilities?" Without homeless services facilities (HSF), the measure received 39% support. With HSF, the measure received 54% support. This is lower than ideal, but clearly what voters are looking for.

- All bond projects garnered support, but the Crisis Center and Homeless Resource Center were voters' highest priorities, followed by the Correctional Facility, Sheriff's Office (SO) and Emergency Operations Center (EOC).
- Bond version B received 57% support, 36% oppose on re-test. Certain to oppose: 27% changed to 20% on re-test.

- Reducing cost by removing the SO and EOC does not increase support (49% support, 43% oppose).
- Respondents were divided on short-term shelter versus long-term supportive housing. Nearly one in three voters are still not sure. Many voters need to be persuaded/informed.

Augerot noted the percentages of support/oppose are better than in the first round of polling.

Horvick added that support went from 44% in June 2022 to 54%; the measure wording is different, but the cost is about the same.

Malone commented this shows voters' priorities and fits in with other County efforts on homeless services.

Augerot noted how much of a gain there was in every demographic, including Republicans, when including homeless services. It is heartening that the increase in support is not partisan.

Kurth stated that in May 2022, before the first survey results, the County decided not to combine addressing homelessness with the JSIP bond measure; now, staff are reconsidering. Kurth asked if the Board would like the JSIP team to consider including homeless services facilities in the bond measure. The team would return with options and amounts.

MOTION: Augerot moved to explore options related to homeless facilities services for inclusion in the JSIP bond measure. Malone seconded the motion, which **carried 3-0.**

Malone asked if a third survey would be needed.

Edmonds felt there was sufficient clarity that the team did not recommend an additional survey.

IX. Other

No other business was discussed.

X. Adjournment

Chair Wyse adjourned the meeting at 11:45 a.m.

Nancy Wyse, Chair

Erika Milo, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

**MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS**

Zoom link: <https://us06web.zoom.us/j/88563510559?pwd=UjAzd0RXOWILVEdmT05MV2g1Mm5HUT09>

Livestream: <http://facebook.com/BentonCoGov>

Tuesday, November 1, 2022

9:00 a.m.

- Present:** Nancy Wyse, Chair; Xanthippe Augerot, Commissioner; Pat Malone, Commissioner; Vance Croney, County Counsel; Joe Kerby, County Administrator
- Staff:** Debbie Bauer, Rick Crager, Finance; Mac Gillespie, Sara Hartstein, Suzanne Hoffman, April Holland, Scott Kruger, Mara Sargent, Health; Cory Grogan, Public Information Officer; Nick Kurth, JSIP Manager; Amanda Makepeace, BOC Staff; Lynne McKee, Natural Areas, Parks & Events; Erika Milo, BOC Recorder; Darren Nichols, Rebecca Taylor, Greg Verret, Community Development; Jef Van Arsdall, Sheriff; Matt Wetherell, Juvenile Department
- Guests:** Jason Bradford, Ken Eklund, Dan Goliss, Chad Ko, Avalon Mason, Debbie Palmer, residents; John Harris, Horsepower Productions; Sam Imperati, ICM Resolutions; Molly Murphy, Oregon Cascades West Council of Governments

Chair Wyse called the meeting to order at 9:02 a.m.

I. Opening:
A. Introductions
B. Announcements

No announcements were made.

II. Comments from the Public

Debbie Palmer, resident: Palmer provided references on the climate crisis. In the World Meteorological Organization's latest report, the three main greenhouse gases hit record highs in 2021. Methane had the biggest yearly increase since measurements began 40 years ago. The Sierra Club Landfill Gas to Energy Task Force report in 2010 concluded that reliance on landfill gas to generate electricity increases net greenhouse gas emissions, particularly since much new waste could be diverted to waste management facilities more appropriate than landfills. Palmer exhorted the Board to stop approving expansions of Coffin Butte Landfill. Landfills in a wet climate are a climate hazard. Palmer asked if the intended process of the Benton County Talks Trash Work Group is to garner consensus for a landfill expansion, or to explore alternatives.

III. Review and Approve Agenda

No changes were made to the agenda.

IV. Work Session

4.1 COVID-19 Update from Department Operation Center – Suzanne Hoffman, April Holland, Health Services

Holland explained that increases in COVID-19 and other respiratory infections are still expected this winter due to variants and waning immunity, but may be mitigated by the bivalent booster.

Overall reported cases of COVID-19 continue to decline statewide. The Centers for Disease Control (CDC) reported case rate for Benton County is 59 per 100,000 residents, down from 112 two weeks ago. Local testing positivity is just under 5% (10% or higher can indicate high transmission and need for more testing). COVID-19 hospitalizations have recently decreased somewhat. There were 238 hospitalizations in Oregon and 29 in Hospital Region Two as of October 26, 2022. Regional hospitalizations in October 2022 varied from 13-38 per day, averaging 29. CDC data shows 4.9 hospitalizations per 100,000 Benton residents, up from 2.2 as of two weeks ago. Oregon Health Sciences University modeling predicts a statewide case increase in the next few weeks, followed by an increase in hospitalizations peaking at 630 in mid-December 2022. Test positivity is rising nationally, and hospitalizations are increasing in many countries. Wastewater surveillance is mostly unchanged in Oregon, but its downward trend stopped two weeks ago.

COVID-19 vaccination is widely available. The County will host November 2022 vaccination events at the Fairgrounds, OSU Memorial Union, Lincoln Elementary, Clemens Elementary, and Boys & Girls Club of Corvallis. Holland encouraged residents to get an influenza vaccination. Nationally, the influenza rate is higher than it has been since 2010. Other common respiratory viruses also spreading. Hospitals remain strained.

Responding to a question from Commissioner Malone, Holland replied that most COVID-19 vaccinations being given in the County are boosters, but first and second doses are also provided.

4.2 *2023 Fee Schedule for Environmental Health (EH) – April Holland, Scott Kruger, Health Services

Holland explained that EH annually reviews expenses and proposes fees. Instead of adjustments across the board, certain exceptions are made to reduce burdens and increase compliance. A 50% credit on 2020 fees was applied to the 2021 license fees due to the pandemic. In 2021, fees increased 3%. No fee changes were made in 2022. From 2010-2019, adjustments ranged from 3%-5%, with some exceptions. In this fiscal year, the total EH budget increased 3.6%. The hourly rate is based on field hours, which were 1,251 hours per EH specialist, for 5,004 in total.

The full cost recovery rate would be \$242.27/hour, increasing fees by 17%. Administrative indirect costs are currently 29% of direct costs, but legally must not be more than 15%. Adjusting to 15% gives a rate of \$215/hour. With the County General Fund (GF) paying any cost beyond 15%, 89% of costs are still covered by fees and the average fee increase would be 5%. The GF contribution would decrease 5% from the previous fiscal year, from \$140,708 to \$134,144. Example of a 5% license fee increase: the fee for a restaurant seating 50-150 people would increase from \$943 to \$989.

Holland presented two other options:

- Fees increase 3%: \$212/hour, 88% cost recovery, GF contribution increases 7% over previous year.
- Fees stay the same: \$205/hour, 85% cost recovery, GF increases 31%. This is not sustainable.

Malone asked about the current business health of restaurants.

Kruger replied that the community is saturated with restaurants. Six restaurants went out of business so far this year. EH issues licenses to 450 facilities, of which 250 are food service facilities.

The Board deliberated about the percentage of fee increase and the date for staff to return with an Order.

Kruger shared that it would be preferable to issue renewal notices with revised fees as soon as possible.

MOTION: Augerot moved to increase the Environmental Health fee schedule on average 3%, and bring back an Order to that effect at the next possible Board meeting. Malone seconded the motion, which **carried 3-0.**

{Exhibit 1: 2023 Fee Schedule for Environmental Health}

4.3 Update from Justice System Improvement Program (JSIP) – Nick Kurth, Justice System Improvement Program Manager

Kurth outlined JSIP milestones.

- November 7, 2022: Kurth to receive final project costing from architects DLR Group.
- November 7, 2022: staff to meet regarding options to include homeless services facilities in the bond, to be presented at the November 15, 2022 Board Meeting if possible. Public feedback on the direction on homeless services is needed before early December 2022 Board deliberations.
- December 6, 2022: the Board will begin bond measure package deliberations; Crager and Kurth will review financials, public feedback, and additional funding opportunities. That meeting could include a decision on the bond measure amount, with a current goal of \$100 million or less. Kurth to work with Kerby to schedule discussions at each Tuesday Board Meeting in December 2022 and early January 2023.

Augerot preferred to not hold a Board Meeting on December 27, 2022.

Kurth concurred. Staff continue to hold public engagement conversations with small groups; six of 21 planned meetings are completed. Staff are evaluating a third large public forum, date to be determined. The second forum received good feedback.

Malone asked how staff would follow up on the small group presentations.

Kurth replied that staff intend to update groups over the next seven months.

Augerot noted that once the County is in safe harbor mode, the Political Action Committee (PAC) that forms around the bond measure will be responsible for continuing community engagement. The Board should discuss that handoff at a meeting such as Goal Setting or Five Electeds. It would also be helpful to speak to consultants Coastline PR.

The Board deliberated and decided that Augerot would call Coastline PR and report to the Board at the November 8, 2022 Goal Setting Meeting.

4.4 Update from Benton County Talks Trash (BCTT) Solid Waste Process Work Group (WG) – Darren Nichols, Community Development Director

Nichols commented that work was proceeding well with the WG and subcommittees.

Imperati concurred. Each subcommittee has reported to the WG meeting. The November 17, 2022 meeting will include a public open house with stations for each subcommittee. Subcommittees will create a survey for public attendees and report results to the WG.

Nichols added that the previous meeting had guests from six surrounding counties, resulting in helpful dialogue. Public engagement will continue to increase.

4.5 City of Adair Village (AV) Urban Growth Boundary (UGB): Process **Guidance – Darren Nichols, Greg Verret, Community Development**

Nichols explained that the AV City Council (CC) invited the Board to a joint work session on the UGB expansion between now and November 18, 2022. The AV CC will hold a Public Hearing on December 6, 2022. Nichols asked how the Board wanted to receive County Planning Commission recommendations on the UGB and how much of that process the Board wanted to conduct with the AV CC.

Wyse preferred a joint Work Session (WS) and joint Hearing if possible.

Augerot and Malone expressed hesitation about holding a joint meeting before knowing the level of public interest and contentiousness. A two-stage process would provide time to learn more detail.

Crager noted that AV is eager to wrap up its process before the end of 2022, but the County can follow a different timeline.

Verret shared that several members of the public testified at the Planning Commission Hearing, and more public testimony is expected. Verret recommended a WS before the Board's Public Hearing, whether jointly or separately.

Counsel commented that for a previous UGB expansion, AV and the Board held a joint meeting, but when the City of Corvallis expanded, separate meetings were held. The challenge with separate meetings is that the first entity to approve the expansion establishes the parameters. If separate meetings are held and AV goes first, the Board will not be able to modify the decision without going back.

Verret noted that the County's urban growth management agreement with each City includes a resolution process if bodies reach different decisions. Although this could complicate the situation, the Board is allowed to reach a different decision.

Wyse shared concerns that with two separate processes, there may be two different information bases for decision. The community would have to attend multiple meetings. This could also create more work for staff. Wyse preferred at least one joint meeting so the Board could hear the local public perspective.

The Board and staff deliberated on meeting time options.

Nichols summarized: the Board wanted a WS, ideally held jointly with the AV CC if that can occur next week; if not, there are backup dates. In any case, the Board wants a joint City-County Hearing on December 6, 2022, and will determine whether to continue the County's portion of the Hearing at a later date; a second reading will be required. This situation does not require ex parte limitations.

Chair Wyse recessed the meeting at 10:15 a.m. and reconvened at 10:25 a.m.

4.6 *Development Code Amendments Regarding Psilocybin – Vance Croney, Benton County Counsel; Greg Verret, Community Development; Mac Gillespie, Healthy Communities Coordinator, & Mara Sargent, Alcohol, Tobacco, and Other Drug Prevention Coordinator, Health

Sargent provided a local Health perspective on Measure 109, which passed in 2020 and legalizes therapeutic psilocybin services. Research shows that psilocybin can address many mental health ailments including anxiety, trauma, and addiction. Psilocybin primarily affects heart rate and blood pressure, and can increase feelings of spiritual well-being and connectedness.

Gillespie explained that M109 authorized the Oregon Health Authority (OHA) to create a program to license and manufacture psilocybin products for supervised use by persons 21 and older in licensed psilocybin service centers (PSCs). On January 7, 2023, OHA will begin accepting license applications. Local jurisdictions must complete a Land Use Compatibility Statement (LUCS) for this new type of business.

Sargent showed that Benton County approved M109 by a high margin. Many jurisdictions are returning the issue to voters, but Benton County is not.

Gillespie explained that OHA established an Oregon Psilocybin Advisory Board including doctors and therapists to make policy recommendations. OHA is developing a long-term strategic plan to keep services safe, accessible, and affordable for therapeutic use.

Sargent explained that under state rules, psilocybin manufacturers are separated from PSCs. Treatment begins with a preparation/screening session with a licensed facilitator on a separate day from the administration session, which can last 6-10 hours. Administration must occur inside the facility, and the client must stay for entirety of time they feel the effects of psilocybin. The session resembles a regular guided therapy session. It is suggested, but not required, to attend one or more integration sessions afterwards. The client must have a travel plan and emergency plan. There are rules for bringing products to PSCs, which involves different land use considerations.

Gillespie explained there will be licenses for psilocybin growers, manufacturers, PSCs, and facilitators. There is a robust training program for facilitators. There is likely to be more interest in PSCs than growing operations, as a small amount of psilocybin is required. Of 36 Oregon counties, 32 have local psilocybin measures on the ballot, including the City of Philomath, with 132 total ballot measures statewide. Some measures offer a temporary ban. Staff contacted the counties that do not have measures (Gilliam, Wallowa, Multnomah, and Wasco) and heard from Multnomah, which is also examining land use considerations. Multnomah staff did not see a current need to draft psilocybin time, place, and manner restrictions. The State can amend code in future.

Malone felt the process was a carefully designed tool to address certain mental health issues. Malone asked whether the rest of Benton County would move forward with psilocybin treatment if Philomath approved a two-year moratorium.

Gillespie and Verret confirmed.

Responding to a question from Wyse, Verret confirmed that any changes the Board adopts would only apply in unincorporated areas of the County.

Verret addressed County development code and whether the County will adopt amendments regulating time, place, and manner for these activities. There will be a Public Hearing today with a potential first reading of the Ordinance. If the Board makes changes, those will be read into the record before the first reading; the second hearing would be held two weeks later so that the Ordinance goes into effect before the end of 2022. If necessary, the Board could delay the readings, or adopt an emergency Ordinance that would go into effect immediately.

Counsel added that if the Board enacts the Ordinance and first reading today, the second reading could occur on November 29, 2022, effective 30 days later.

Verret noted the second reading is tentatively scheduled for November 15, 2022. To create equal opportunity, any local land use regulations must be in place when the statewide program becomes effective on January 2, 2023. Given limited time, knowledge, and experience on these land use elements, staff have submitted a draft code that cautiously enables businesses to become established while minimizing potential off-site impacts. Staff propose to regulate time, place, and manner in the code, which is based on M109 text, concepts from other counties, and existing code. Multnomah is using existing code from similar types of use. The City of Corvallis will likely consider PSCs as similar to other clinical/medical services. The County's existing framework includes marijuana, which has some similarities in land use implications. However, psilocybin growing is unlikely to have significant land use and off-site impacts compared to marijuana. Psilocybin distribution occurs in a controlled setting, not retail sales. The Planning Commission (PC) agreed in principal that the goal is to set up a basic framework that can be modified over time. It is easier to loosen than to tighten restrictions.

The PC held a Public Hearing on November 18, 2022 and recommended this draft. The County uses slightly different terminology than the measure, distinguishing growing and production from processing. Growing psilocybin per the measure is a farm use, so it be must allowed in Exclusive Farm Use (EFU) and Multi-Purpose Agriculture zones. The PC recommended that production also be allowed in industrial zones (Urban Industrial, Rural Industrial, Agricultural Industrial, and Airport Industrial Park (AIP)). Production is prohibited elsewhere, including home occupation or cottage industry.

PSCs would be allowed through a Conditional Use Permit (CUP) in Urban Commercial, Rural Commercial, Village Commercial, and AIP zones, which currently have provisions for medical clinic uses. M109 includes a separation distance between PSCs and schools; the PC also recommends a minimum distance of 1,000 feet from daycares, public recreation facilities, and other PSCs. The draft limits hours of operation and prohibits overnight accommodations unless already allowed by zone. PSCs are not eligible for a farm-related dwelling, farm stand, or commercial activity in conjunction with farm use. The PC had considerable discussion about whether commercial activity with farm use could have a PSC on the same site as a growing operation; this needs more study, but it is safer and simpler to state it is not allowed at this time.

Malone asked about the rationale for separation between PSCs.

Verret replied this came from other counties. The rationale is not to have multiple PSCs adjacent in a way that might circumvent keeping operations small scale.

Augerot did not necessarily see the need, as the allowable rural zone in the County is small, which would probably preclude more than one business.

Wyse noted it is unknown how much demand there will be.

Verret compared proposed code for psilocybin growing, processing, and sale to recreational marijuana code (exhibit 3). PSCs would be allowed in limited locations in unincorporated Benton County. PSCs in rural settings are not allowed under current State land use rules, a difficulty for many providers. Overnight accommodations are part of some treatment models. Psilocybin growing is not allowed in Forest Conservation (FC) zones. Verret showed a map (exhibit 4) of the overlap of proposed zoning areas for PSCs with schools. Rural Commercial zones are typically found in unincorporated communities such as Alsea, Blodgett, Wren, Kings Valley, Alpine, and Bellfountain. There are Urban Commercial areas within UGBs, such as near the Cities of Lewisburg, Monroe, and the Corvallis AIP. The County does not know locations of daycares, recreational facilities, or other PSCs.

Responding to a question from Counsel, Verret confirmed that the distance between PSCs and schools is a State mandate, so if the County removed daycare and other centers from the exclusion list, it would not make a difference within that zone.

Wyse asked who approves the CUP and what the application process is like.

Verret replied that most CUPs are approved by a planning official, though that can be modified. The applicant applies to the State for licensing and receives a LUCS, which the applicant submits to the local government. The local government decides if the use is allowed outright. If the use is conditional, the applicant must apply for a CUP and address code criteria on compatibility with neighboring uses and potential impacts to public infrastructure. The planning official sends notifications to neighbors, receives public comment, writes a staff report, and issues a decision, which can be appealed by any party to the Planning Commission and the Board.

Responding to a question from Wyse, Verret confirmed that all PSCs must undergo conditional use review, but growing or production is an outright use in the listed zones.

Wyse asked about setbacks from property lines or between uses. The PC removed some setbacks from the draft.

Verret explained that the staff draft included larger setbacks than those zones typically require, which were removed. Standard Industrial Zone setbacks would still apply to manufacturing.

Augerot emphasized the importance of informing the public that a County approval process is required in addition to State licensure.

Malone and Augerot expressed approval for starting with a conditional use process as a precautionary approach that can be adjusted as needed.

Wyse asked about the restriction on growing psilocybin in an FC zone.

Verret replied there is a separate definition of farm use in FC zones. Staff did not anticipate much demand to grow there.

Augerot asked if there would be a chain of custody for psilocybin and quality control to regulate dosage.

Sargent replied this will be regulated by the Department of Agriculture. Psilocybin must be grown in a State-licensed space, labeled, tested, time stamped, and provided to a PSC in specific dosages. Any substance left over from a session must be destroyed; there is no residue. Sargent added that psilocybin is not always administered in a one-on-one session; there can also be group sessions. If land use code only allows treatment indoors, maximum occupancy will be a factor.

{Exhibit 2: Psilocybin Overview Presentation}

{Exhibit 3: Proposed Psilocybin Land Use Code}

{Exhibit 4: Map of Cities Relative to Psilocybin Code}

V. Consent Calendar

5.1 In the Matter of Approving the September 20, 2022 Meeting Minutes

MOTION: Malone moved to approve the Consent Calendar of November 1, 2022. Augerot seconded the motion, which **carried 3-0.**

VI. Proclamations

6.1 In the Matter of Recognizing November 11, 2022 as Veterans Day in Benton County – Molly Murphy, Oregon Cascades West Council of Governments

Murphy read the proclamation aloud.

MOTION: Augerot moved to approve Proclamation #P2022-021. Malone seconded the motion, which **carried 3-0.**

Public Hearing

PH 1 In the Matter of the First Reading of Ordinance #2022-0313, Development Code Amendments Regarding Psilocybin – Greg Verret, Community Development

Chair Wyse recessed at 11:40 and reconvened at 12:00 p.m.

Chair Wyse opened the Public Hearing at 12:00 p.m.

Staff Report

Verret summarized that the Board is considering the recommendation of the Planning Commission on psilocybin businesses in three categories: growing, processing, and treatment. Growing and processing could be done together or separately in Farm and Industrial zones only. Psilocybin service centers (PSCs) would be allowed through Conditional Use review in Urban Commercial, Rural Commercial, Village Commercial, and AIP zones. Code limits hours of operation and minimum distance from certain uses and facilities, and prohibits overnight accommodations unless separately allowed by the zone.

Public Comment

Jason Bradford, resident: Bradford stated that considerable research shows the benefits of psilocybin for multiple mental health problems. Oregon is setting up a very safe and responsible structure. Training for facilitators and PSCs limits risk to public and clientele as much as

possible. The Benton County approach will make it difficult to get many centers in the area. Bradford suggested expanding the allowable Conditional Use zones. Although there is concern about PSCs on EFU or FC land, it is possible to have modest development that does not impact the commercial interests of active farms, yet allows clients to connect to natural settings in ways that help recovery.

Dan Goliss, resident: A practicing psychologist in Corvallis for 25 years, Goliss is very interested in the potential for psilocybin to improve mental health outcomes. Goliss' wife is the psychologist on the OHA Psilocybin Advisory Board and Goliss is versed in the literature. Goliss intends to become trained, own a PSC, and support friends who want to set up PSCs in BC. Access to natural environments increases the benefits of psilocybin for many people. Limiting hours of operation from 8:00 a.m. to 10:00 p.m. is too restrictive; clients often need to be supervised on site for six hours. Goliss offered to consult with the Board as deliberations continue.

Chair Wyse closed the Public Hearing at 12:15 p.m.

Staff Response

Verret noted regarding hours of operation that the draft code does not have that limitation on other commercial uses in commercial zones, so this would be a unique limitation on these uses.

Augerot asked whether hours of operation could be removed from County code, but code would still prohibit overnight stays except in zones where expressly allowed. Verret confirmed.

Augerot noted that would still entail some limitation in Rural Commercial areas. Verret confirmed.

Wyse asked whether it would be necessary to define 'overnight' if hours of operation were dropped.

Sargent replied that proposed OARs allow hours of operation from 6:00 a.m. to 12:00 a.m.

Hoffman requested that the Health Department have more robust engagement in this conversation before final decisions are made. Health has questions and concerns, particularly regarding PSCs and treatment. Psilocybin is not recreational, but code does not consistently treat PSCs like medical clinics. This should be examined through an equity lens.

Augerot commented that a task force or working group could examine the issues after January 1, 2023, but a regulatory framework is needed before applications go in. Augerot supported the proposed iterative process, especially since OARs are not in place yet. The State will probably have to take action to allow treatment in natural environment for treatment. It will take time to clarify the regulatory environment.

Malone asked if the Board could make code changes today. Verret confirmed.

Counsel added that the motion can include changes, which would be shown in the document and available to the public before the next reading.

The Board deliberated and decided to strike the 1,000 foot separation between PSCs.

Counsel clarified that this referred to removing 91.686(2)(D), while retaining the distance limit between PSCs and daycares or natural areas and parks.

Responding to a question from Malone, Verret clarified that 91.686(2)(A) “separations from schools” is from State regulations; (2)(B), (C), and (D) are proposed by the County Planning Commission.

Augerot proposed eliminating the hours of operation limit of 8:00 a.m. to 10:00 p.m.

Wyse noted that traffic impacts on neighbors in rural areas should be considered.

Augerot noted that bars are open until 2:00 a.m. in those areas. Augerot did not anticipate a major issue with traffic.

Malone preferred to drop the local time limit so that State and County rules are consistent.

MOTION: Augerot moved to adopt Ordinance #2022-0313 with two changes to the proposed development code: in 91.686, drop (2)(D) and (3)(b). Malone seconded the motion, which **carried 3-0.**

Wyse stated that Public Health and other stakeholders would be included if/when the matter is re-examined.

Counsel read the Ordinance aloud (short title). Second reading to be on November 15, 2022 under Old Business. The Ordinance with these changes must be posted on the County website.

VIII. Old Business

8.1 In the Matter of Approving the Minutes of the August 28, 2017 Joint Work Session with the Fair Board

Wyse commented that Commissioners who did not attend a meeting usually do not approve the minutes of that meeting, but the State does not require that, so the Board will make an exception.

Counsel noted Augerot will sign the minutes, being the only current Commissioner who was present at that meeting.

MOTION: Augerot moved to approve the minutes of the August 28, 2017. Malone seconded the motion, which **carried 3-0.**

Malone commented that the practice is not written down, so Malone felt comfortable approving minutes as long as complete information was provided.

Wyse agreed, as Boards change frequently. This practice could be discussed at a future meeting such as Goal Setting.

Kerby noted that as staff perform quality control, overlooked items such as this are sometimes found, and are always brought back to the Board.

8.2 In the Matter of Conducting the Second Reading for Ordinance #2022-0312, Removing the Sunset Date of Benton County Code Chapter 40 – Rebecca Taylor, Home, Opportunity, Planning, & Equity (HOPE) Project Manager

MOTION: Augerot moved to conduct the second reading of the Ordinance removing the sunset date of Benton County Code Chapter 40 Part I. Malone seconded the motion, which **carried 3-0.**

Counsel read the Ordinance aloud (short title), effective December 2, 2022.

IX. New Business

9.1 Discussion and Adoption of Order #D2022-080 for Natural Areas, Parks and Events 2023 Fees – Lynne McKee, Natural Areas, Parks and Events Director

McKee presented the annual request for fee increases, which impacts Beazell Forest Education Center, Benton County (BC) Event Center & Fairgrounds, BC Fair & Rodeo, Benton Oaks Recreational Vehicle Campground, Salmonberry Campground, Alsea Guard Station, Crystal Lakes Cemetery, BC parks picnic shelters, and special use permits. Most fees have a typical 5% increase. This will not cover all expenses, but staff want to avoid a high increase. The Fairgrounds has offered a 30% discount to 501(c)3 and 501(c)4 non-profit organizations; staff recommend changing this to 25%. Most fairgrounds do not offer a discount.

Malone asked if BC requires organizations to provide proof of non-profit status.

McKee explained that the discount was discussed with former Chief Financial Officer Mary Otley and Counsel. Some organizations are member-benefiting or social clubs, while 501(c)3 and 501(c)4 organizations support the community. The Fairgrounds hosts many fundraisers. Groups must provide documentation of non-profit status. Operational costs have increased significantly. BC did not increase fees in 2020, but did in 2021. The proposed fees are still very reasonable.

MOTION: Malone moved to approve approve Order #D2022-080 adopting the revised fee schedule for Benton County Natural Areas, Parks and Events, to be effective January 1, 2023. Augerot seconded the motion, which **carried 3-0.**

9.2 Discussion and Adoption of Order #D2022-079 Authorizing the Payment of Property Taxes to Certain Municipalities or Other Taxing Districts in Advance for the Tax Year 2022-23 as Authorized by ORS 311.392 – Debbie Bauer, Finance

Bauer explained that Finance annually pays these funds in advance to small districts that would otherwise receive a very small payment each month, making it difficult to operate.

MOTION: Augerot moved to approve Order #D2022-079 authorizing the payment of property taxes to certain municipalities and other taxing districts as detailed in the attachment to the Order. Malone seconded the motion, which **carried 3-0.**

X. Other

No other business was discussed.

XI. Adjournment

Chair Wyse adjourned the meeting at 12:34 p.m.

Nancy Wyse, Chair

Erika Milo, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

MINUTES OF THE SPECIAL MEETING OF THE
BENTON COUNTY BOARD OF COMMISSIONERS

Monday, November 14, 2022, 1 PM

Present: Nancy Wyse, **Chair**; Pat Malone, **Vice Chair**; Xanthippe Augerot, **Commissioner**; Vance Croney, **County Counsel**; Joe Kerby, **County Administrator**

Staff: Nick Kurth, Justice System Improvement Program Manager; Matt Wetherell, Juvenile Department; Gary Stockhoff, Public Works; Cory Grogan, Public Information Officer; Amanda Makepeace, Meeting Recorder

Guests: Allison Hobgood, Corvallis Daytime Drop-in Center; Brenda Downum; Downum Consulting, Chris Edmonds; Coastline Public Relations; Alex Powers, Media; John Harris, Horsepower Productions; Peggy Lynch, League of Women Voters

1. Opening

1. Call to Order

Chair Wyse called the meeting to order at 1:09 PM.

2. Introductions

Introductions were made.

3. Announcements

No announcements were made.

2. Review and Approve Agenda

No changes were made to the agenda.

3. Comments from the Public

Peggy Lynch, Benton County Resident, provided the following comment: "I am very interested in safety public process and the recommendations you have regarding adding some homelessness recognition in the May 2023 bond. It is really important that Benton County citizens who provided survey information feel comfortable with the

recommendations that you are making, working on it from the state level to make sure there is funding for infrastructure and urban growth boundary. These are important components and I hope it will move people toward support.”

4. Work Session

4.1 Update on Justice System Improvement Program – Nick Kurth, Justice System Improvement Program Manager

Kurth expressed appreciation for the opportunity to present recommendations around the inclusion of homelessness services facilities in the proposed bond measure.

Kurth indicated Allison Hobgood of the Corvallis Daytime Drop-in Center (CDDC) was also present to answer questions regarding the recommendations and to discuss the recommendation that aligns with CDDC and its partnerships.

Two community surveys were conducted in Corvallis this year, with statistically significant results, and both surveys indicated that service facilities addressing homelessness was a top priority in the county. Commissioners instructed staff to investigate options for the homelessness services and possibly consider including them in the bond measure. Staff has had three meetings since that directive of October 18, 2022; here today before the Board to present those recommendations.

All options presented here require additional funding elements in order to come to fruition, either with state funds, other grants, or earmarks would be needed in order to complete the project. The bond language has to be flexible to accommodate those unknown elements. At the same time, the JSIP program would like to have a preferred option that is actionable. So that there can be maximum benefit to the community on the one hand, there is a need to be specific, but also recognize that because there is additional funding that would be possibly be needed; there is uncertainty. There may be a need to pivot at some point in the future, so the bond language should be flexible enough to accommodate that.

The objective today is to align on a preferred option for inclusion of homelessness services facilities in the May bond measure, and today’s goal will be to arrive at a preferred option, but also to have flexible bond language that can accommodate those funding unknowns.

The presentation will start with some of these options, and Allison Hobgood with CDDC will talk briefly about the homelessness services facilities, a housing navigation

center. A secure residential treatment facility (SRTF) was one of the options that the Health Department presented around which the county administrator, Joe Kerby, had previously asked the Health Department to develop recommendations.

An SRTF is essentially transitional housing with on-site mental health treatment for unsheltered people who are in the justice system. Kurth indicated his awareness that the county is pursuing a separate grant for funding for an SRTF, regardless of any decision today.

Hobgood will speak about the Housing Navigation Center with permanent, short- or long-term housing, whether transitional housing or a micro shelter community. A reminder that the second survey had a question on that point, and the community, at least in answering that question, was divided on which was more important; that does not mean that they were equally divided. That could also mean they simply did not know. However, the question was asked. The prioritization was evenly split.

The Health Department also mentioned a heating/cooling smoke/air quality shelter. That is certainly a sheltering option that is needed in the community.

Finally, there is a sort of default “general bucket” of funding, the non-specific alternative of understanding that the bond measure will include homelessness services facilities, leaving it at that without a preferred option, making it the default option. It does not have the value of a preferred option.

Hobgood spoke about the options presented to the Commissioners for homelessness services facilities and assured Commissioners that her presence is to share information as neutrally as possible, to answer questions, and to take feedback.

Hobgood is the Executive Director of the Corvallis Daytime Drop-in Center (CDDC), a resource and navigation hub for people in poverty in our community, in Benton County, and beyond. A Navigation Center Project would allow CDDC to increase our overall impact and our available supports.

There are precedents for this around the state, with other navigation centers tailored to the specific needs of a particular community. Some of these local needs are already being addressed at CDDC, and improvements mean being able to amplify and add another piece to solving the complex homelessness puzzle. Navigation Centers are often referred to as a “one-stop shop.” There are a lot of service providers who work together collaboratively, in-house, in a common space to offer community members who are in need of supports a direct, low-barrier access to those supports, and in trauma-informed

and trustworthy kinds of ways, engaging with community members. It is challenging to navigate complex systems, and to break down those barriers to access is important to the work.

Drop-in day services are a crucial part of Navigation Centers. The drop-in model that is currently followed would continue. People could come spend time during the day to get the supports that they need to be able to access services with help from the navigators and the social service providers that are on-site. There is a non-congregate respite or emergency shelter piece to the Navigation Center; a series of units that allow some of the most vulnerable people in the community to get immediate stabilization, to have respite from the challenges that they are experiencing, and then give them time to integrate back into the community. Ideally, these are first steps to getting people into housing and into contact with Navigators. People with needs are welcomed into that space. Staff works to invite them to start thinking, as they can, about the next steps for their future, plug them into people who could support them around those steps, and then as affordable housing becomes available, make sure that they can get indoors when they are ready.

Malone asked about respite center construction, is there any idea if this will fit in with Benton County Health Department plans for the respite center?

Hobgood stated unfamiliarity with the Benton County plan and asked for clarification.

Augerot stated the BC respite center is intended to be for mental health crisis. Hobgood was pleased that the clarification noted the similarity between the two entities, though the language is different. Currently, the drop-in center is serving folks with mental health disabilities or in outright crisis, though the drop-in is not a clinical space; the crisis center would be better equipped to handle MH interventions through clinical approaches. A Navigation Center uses more of a social services approach, such as providing behavioral health supports and assistance with medications, as part of wrap-around support experiences, with a holistic health and wellness approach that includes goal-setting and 'next steps' processes for moving forward into mental health stabilization.

Malone noted that one-stop shopping model of services means is convenient and efficient. Hobgood agreed, noting that people who may not be sure what they need can receive advice and support from experienced folks at the Navigation Center, providing built-in logistics and proximity to solving several issues in a concentrated time frame.

Malone noted that it is important for people who are struggling to get immediate help

by connecting with a team of human beings, rather than call a phone number and leave voice mail and hope there is enough staff that a return call is coming soon.

Hobgood shared that the service providers at a Navigation Center are able to connect with each other behind the scenes to collaborate on approaches for a particular individual, rather than being isolated from knowing what is going on with the individual, and this works across agencies and jurisdictions.

Augerot posed a question about the Navigation Center, asking if there is a large enough common area or common space that it might be out into use as an additional emergency cooling/heating/air quality shelter. Hobgood replied that this concept has been mentioned previously and noted that there is a good possibility of creating a partnership around that, though it may be visited at a point further down the road. Having a multi-use space that is flexible is an idea worth re-visiting, but for the moment, the focus is on launching the Navigation Center as quickly as possible.

Kurth continued speaking about the evaluation criteria shown in the meeting packet presentation, noting that filling the gap in homelessness services was a compelling need, as well as aligning with previously approved HOPE (Home, Opportunity, Planning and Equity) Advisory Board recommendations based on the excellent work done by Julie Arena, Rebeca Taylor, and Damien Sands from the BC Health Department; it was a collaborative and effective process. Kurth noted that the evaluation criteria involved outside stakeholders, support partnerships, and collaboration. Kurth invited Edmonds to speak about stakeholders and collaboration with support partnerships.

Edmonds said that the JSIP mission as an inclusive project that involves multiple community stakeholder groups means that the community drives the agenda, the process, and the need. Edmonds found broad community support for the current components of the JSIP Bond that are under consideration right now. The survey uncovered a huge gap, addressing homelessness, which was not a part of the original JSIP in its form from five years ago. The community is driving this process, and projects tend to work better when there is strong collaboration across civil and legal jurisdictions with regard to problem-solving, work efficiencies, and duplication of efforts. Community member interest and involvement bring an energized group of stakeholders into the JSIP fold, which means there will be an advantageously high level of communication between the groups as this project moves into the Spring of 2023.

Kurth continued speaking about the Evaluation Criteria, moving to ideas that are easily communicated and understood by the public. An example is a secure, residential

Treatment Facility (SRTF), which is a niche product and more difficult to communicate and share with the public; last year at this time, an SRTF was not a consideration, but there was a decision to include homelessness services facilities relatively late in the communication process. Finding projects that had already been cultivated to an extent and brought before the community means that much of the groundwork was in place; the Navigation Center is a good example of that. The project cannot be fully, directly funded by BC at this point, but perhaps can serve as a catalyst, and using stated and federal matching grants are useful as tools for garnering attention, maintaining momentum, and getting a project over the finish line. Site location sensitivity is a big consideration, and BC has gone through an exhaustive site process. One of the final Evaluation Criteria was survey testing, asking questions about homelessness, facilities, services, and specifically about the Navigation Center; data was collected that reliably informs the program.

Kurth noted that the evaluation ranking brought three possibilities to the public: the SRTF, the homelessness resources and housing Navigation Center, and the default no-preference “bucket” of options. The Navigation Center really checks off all of the boxes, though JSIP is not diminishing the need for an SRTF, nor a heating/cooling/smoke shelter, nor additional housing; they are all important. In terms of objectives and timeline the Navigation Center seems like the strongest option that staff is presenting you with today.

The recommendation is to include funding in the JSIP Bond Measure for homelessness services facilities, with a preferred option in support of Corvallis Daytime Drop-in Center’s planned homelessness resources/housing navigation center project that as yet lacks an official name, and was thus presented here in lowercase letters. Funding would represent a portion of the total cost. December 6, 2022, will provide an opportunity to bring costing numbers in front of the Board as part of the broader JSIP Bond Measure package discussions. The second recommendation is to prioritize the funding for the navigation center as part of the legislative process for 2023. Kurth added that the City of Corvallis is in the early stages of looking at navigation funding as part of its prioritization process as well as a legislative process. There is nothing definitive at all at this point, but they will be submitting a list of recommendations to the League of Oregon Cities, including a recommendation on the Navigation Center, so there is potential opportunity down the road for further collaboration with the city.

Wyse expressed appreciation for the list of evaluation criteria, noting it as very complete, and suggested adding in, perhaps as part of “filling a gap”, that whatever BC does is actually going to be impactful, rather than simply checking a box. She wants to make sure that true assistance is rendered to the Corvallis Daytime Drop-in Center to

help them make a difference, and avoiding admiring the work that our neighbors are doing from a distance while taking credit for positive effects. Wyse is focusing on the outcome for a tangible and meaningful impact upon the community in a collaborative way.

Kurth mentioned that he and Hobgood had an opportunity to talk about the Navigation Center in person a few days ago; Kurth credits Arena with bringing the Navigation Center to Kurth's attention several months ago. Kurth noted that Hobgood stressed looking for actionable partnerships and collaboration in this effort.

Hobgood expressed appreciation for the ongoing conversation about being uniquely poised for a powerful new and different collaborative model intended for transformative work in the community and reaffirmed her commitment to that outcome. Hobgood appreciated the care in conversations about what it might mean to include homelessness services as part of a larger justice project, and the important intention that needs to be set around the kinds of community bias that might link up criminalization and folks who are homeless. The CDDC is providing innovative support services intended for diversion, to move people away from incarceration, rather than towards re-incarceration and recidivism. These kinds of dialogues inform this type of collaborative partnership.

Hobgood also spoke about the 'site sensitivity' piece and understands that to mean that the Navigation Center is not intended to be located on the Justice Campus. Similar to the crisis center, it will be its own thing, not physically aligned with the proposed justice campus.

Kerby spoke about the work done by the JSIP team in the respective JSIP-focused meetings and wanted to applaud their work and efforts in being able to pivot so quickly to including it as part of the bond measure, having to explore a previously unknown concept. Kerby also thanked the Health Department and others who were integral to the conversations and to the support being offered.

Malone appreciated the speed with which this came together. Not too long ago it was a warm and fuzzy concept and while much progress has been made on the specifics, evolving into a project that BC wants to support, the inclusion of multiple partners and funding streams makes this a more concrete reality.

MOTION: Augerot moved to include funding the justice system improvement program bond measure for homeless services facilities, with the preferred option in

support of the Corvallis Daytime Drop-in Center planned homelessness resources and housing navigation center. In tandem with that, Augerot moved to prioritize additional funding for the CDDC homelessness resources and housing navigation center as part of our county 2023 legislative agenda. Malone seconded the motion, which **carried 3-0.**

IX. Other

No other business was discussed.

X. Adjournment

Chair Wyse adjourned the meeting at 1:51 p.m.

Nancy Wyse, Chair

Amanda Makepeace, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

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MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS

Zoom link:

<https://us06web.zoom.us/j/85342902486?pwd=clNIRFZnNDdCSTRBVWltNHBYc3ZXZz09>

Livestream: <http://facebook.com/BentonCoGov>

Tuesday, November 15, 2022

9:00 a.m.

Present: Nancy Wyse, Chair; **Xanthippe Augerot**, Commissioner; **Pat Malone**, Commissioner; **Vance Croney**, County Counsel; **Joe Kerby**, County Administrator

Staff: **Mac Gillespie**, Mara Sargent, Health; **Amanda Makepeace**, BOC Staff; **Erika Milo**, BOC Recorder; **Greg Verret**, Community Development

Guests: **Alex Powers**, Mid-Valley Media

Chair Wyse called the meeting to order at 9:01 a.m.

I. Opening:

A. Introductions

B. Announcements

No announcements were made.

II. Comments from the Public

No comments were offered.

III. Review and Approve Agenda

No changes were made to the agenda.

IV. Old Business

4.1 In the Matter of a Second Reading of Ordinance #2022-0313, Development Code Amendments Regarding Psilocybin – Greg Verret, Community Development

Verret noted that the meeting packet contained an older version of the Ordinance. At the first Public Hearing on this matter, the Board directed that the separation distance requirement between treatment service centers and the limitation on hours of operation be removed from County Code. Also, the effective date was changed from December 16, 2022 to December 15, 2022. Those corrections were made in the version of the Ordinance posted on the County website.

MOTION: Augerot moved to approve the second reading of Ordinance #2022-0313. Malone seconded the motion, which **carried 3-0.**

Counsel read the Ordinance aloud (short title). Ordinance to take effect December 15, 2022.

V. Other

Augerot mentioned an email from organizers of the 4-H Banquet on December 1, 2022, requesting that a Commissioner attend to present awards.

Wyse offered to present the awards.

Malone offered to attend if Wyse was unavailable.

VI. Adjournment

Chair Wyse adjourned the meeting at 9:08 a.m.

Nancy Wyse, Chair

Erika Milo, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 11/29/22

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Board of Commissioners

Contact Name * Joe Kerby

Phone Extension * 6370

Meeting Attendee Name * Joe Kerby

Agenda Item Details



Item Title * National Association of Counties (NACo) 2023 Membership

Item Involves * Check all that apply

- ☐ Appointments
- ☒ Budget
- ☐ Contract/Agreement
- ☒ Discussion and Action
- ☐ Discussion Only
- ☐ Document Recording
- ☐ Employment
- ☐ Notice of Intent
- ☐ Order/Resolution
- ☐ Ordinance/Public Hearing 1st Reading
- ☐ Ordinance/Public Hearing 2nd Reading
- ☐ Proclamation
- ☐ Project/Committee Update
- ☐ Public Comment
- ☐ Special Report
- ☐ Other

Estimated Time * 5 Minutes

Board/Committee Involvement * ☐ Yes ☒ No

Issues and Fiscal Impact

Item Issues and Description

**Identified Salient
Issues ***

Renewal of National Association of Counties membership and payment of 2023 membership dues in the amount of \$1,712.

Options *

Approve renewal of National Association of Counties membership and payment of 2023 membership dues in the amount of \$1,712.

Do not approve renewal of National Association of Counties membership or payment of 2023 membership dues in the amount of \$1,712.

Fiscal Impact *

- ☒ Yes
☐ No

**Fiscal Impact
Description ***

The impact to the Board of Commissioners budget is \$1,712. This amount was included in the Board of Commissioners 2021-23 budget.

2040 Thriving Communities Initiative

Mandated Service? * ☐ Yes ☒ No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values *

Select all that apply.

- ☒ Vibrant, Livable Communities
- ☐ Supportive People Resources
- ☐ High Quality Environment and Access
- ☐ Diverse Economy that Fits
- ☒ Community Resilience
- ☐ Equity for Everyone
- ☐ Health in All Actions
- ☐ N/A

Explain Core Values Selections *

NACo's mission is to strengthen America's counties; its vision is healthy, safe and vibrant counties across America.

NACo strengthens America's counties, serving nearly 40,000 county elected officials and 3.6 million county employees. Founded in 1935, NACo unites county officials to:

- Advocate county priorities in federal policymaking
- Promote exemplary county policies and practices
- Nurture leadership skills and expand knowledge networks
- Optimize county and taxpayer resources and cost savings, and
- Enrich the public's understanding of county government.

Focus Areas and Vision *

Select all that apply.

- ☒ Community Safety
- ☐ Emergency Preparedness
- ☐ Outdoor Recreation
- ☒ Prosperous Economy
- ☒ Environment and Natural Resources
- ☒ Mobility and Transportation
- ☐ Housing and Growth
- ☐ Arts, Entertainment, Culture, and History
- ☒ Food and Agriculture
- ☐ Lifelong Learning and Education
- ☐ N/A

**Explain Focus Areas
and Vision
Selection ***

NACo's mission is to strengthen America's counties; its vision is healthy, safe and vibrant counties across America.

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Advocate county priorities in federal policymaking

-Promote exemplary county policies and practices

-Nurture leadership skills and expand knowledge networks

-Optimize county and taxpayer resources and cost savings, and

-Enrich the public's understanding of county government.

Recommendations and Motions

Item Recommendations and Motions

Staff
Recommendations * Staff recommends renewal of Benton County's National Association of Counties membership and payment of 2023 membership dues in the amount of \$1,712.

Meeting Motions * I move to ...
...approve renewal of Benton County's National Association of Counties membership and payment of 2023 membership dues in the amount of \$1,712.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

NACo 2023 Membership Renewal.pdf

124KB

Comments (optional)

If you have any questions, please call ext.6800

Department

MAURA KWIATKOWSKI

Approver

Comments

Signature



Hanna Kwiatkowski

BOC Initial Approval

Approvals Required ☐ Counsel

☒ Finance

☐ HR

Finance Approver RICHARD CRAGER

**County
Administrator
Approver** JOE KERBY

Comments

Comments

Signature

Rick Crager

Comments

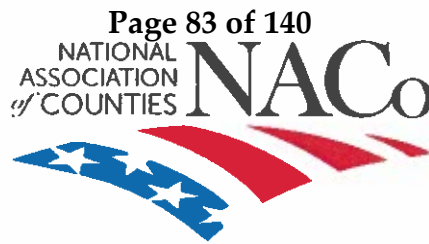
Signature

Theresa Kelly

Comments

Signature

Amarda Hakepeace



RECEIVED
NOV 07 2022
Benton County
Board of Commissioners

Benton County
ATTN: Xanthippe Augerot
PO Box 3020,
Corvallis, OR, 97339

Your NACo membership is
more important than ever.

**Please send your 2023 dues
payment today!**

Counties, parishes and boroughs continue to face a wide range of challenges and opportunities. Renew your NACo membership now to keep Benton County as healthy, safe and vibrant as it can be.

Your membership in NACo is an investment that pays off for all of your elected officials, staff and residents. Shared solutions, resources, federal advocacy and the expertise of NACo staff make NACo membership more valuable than ever.

Beyond the American Rescue Plan Act, we continue working to ensure county's needs are met in large federal legislative packages like the Bipartisan Infrastructure Law, the Inflation Reduction Act and so much more. NACo is your voice in Washington D.C. on issues ranging from broadband to roads and bridges to public lands to mental health.

Please take a moment to review your statement and start the process to send in your membership dues of \$1,712 for 2023.

NACo continues to work by your side so you can focus on issues that matter in Benton County. Thank you in advance and we look forward to partnering with you again next year.

Sincerely,



Matthew G Prochaska

Hon. Matthew G Prochaska
Chair, NACo Membership Standing Committee
Kendall County, IL

*** LOOKING AHEAD: IMPORTANT
2025 DUES UPDATE ***

**The NACo Board of Directors
has approved an update to
NACo dues taking effect on
January 1, 2025.**

The dues change will reflect
Benton County's 2020 U.S.
Census population.

**Based on updated census
data, your NACo dues will be
\$1,904 for the 2025
membership year.**

With the updated dues amount,
Benton County will have 2
votes during the NACo Annual
Business meeting starting in
2025.

*If you have any questions
about the population
adjustment, please contact the
NACo team at
membership@naco.org.*



Please remit payment to:
National Association of Counties
PO Box 38059
Baltimore, MD 21297-8059
 Phone: 888.407.NACo (6226)
 EIN# 53-0190321

For ACH payments or questions, please
 contact NACo at membership@naco.org

Bill to:

Benton County
 Attn. Xanthippe Augerot
 205 Nw 5Th St
 PO BOX 3020
 Corvallis, Oregon 97330

Invoice

Date	10/15/2022
Invoice #	202216724
Customer #	41003
Terms	Upon Receipt
Balance	\$1,712.00

Our LockBox address has changed to PO Box 38059

Item	Amount	Total
COUNTY DUES - for the period of 01/01/2023 to 12/31/2023	\$1,712.00	\$1,712.00

Thank you for your membership! NACo Membership extends to
 all elected officials and staff.

**Please include your state and membership number with
 your payment.**

We appreciate your partnership.

Total	\$1,712.00
Payments/Credits	\$0.00
Balance Due	\$1,712.00

Want to learn more about making the most of your NACo membership?
 Contact us at membership@naco.org.

PLEASE DETACH AND RETURN BOTTOM PORTION WITH YOUR PAYMENT

Our LockBox address has changed to PO Box 38059

Customer ID: 41003

Bill to:

Benton County
 Attn. Xanthippe Augerot
 205 Nw 5Th St
 PO BOX 3020
 Corvallis, Oregon 97330

Invoice Number: 202216724

Please remit payment to:
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PO Box 38059
Baltimore, MD 21297-8059
 Phone: 888.407.NACo (6226)
 EIN# 53-0190321

For ACH payments or questions, please
 contact NACo at membership@naco.org

NEW BUSINESS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 11/29/22

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Finance

Contact Name * Rick Crager

Phone Extension * 15417666246

Meeting Attendee Name * Michael Gelardi

Agenda Item Details



Item Title * Proposed Sale of County-Owned Property

Item Involves * Check all that apply

- ☐ Appointments
- ☐ Budget
- ☒ Contract/Agreement
- ☒ Discussion and Action
- ☐ Discussion Only
- ☒ Document Recording
- ☐ Employment
- ☐ Notice of Intent
- ☒ Order/Resolution
- ☐ Ordinance/Public Hearing 1st Reading
- ☐ Ordinance/Public Hearing 2nd Reading
- ☐ Proclamation
- ☐ Project/Committee Update
- ☐ Public Comment
- ☐ Special Report
- ☐ Other

Estimated Time * 20 minutes

Board/Committee Involvement * ☐ Yes ☒ No

Advertisement *

☐ Yes
☐ No

Item Issues and Description	
Identified Salient Issues *	In accordance too ORS 275.225, the Board of Commissioners may sell any real property assessed at less than \$15,000 which is unsuitable for the construction or placement of a dwelling under applicable zoning ordinance and building codes. Hubbard Family LLC has proposed to purchase two pieces of existing county property. These include: * Tax Lot 15-4-7-700 which is a very small 0.06 acre segment of an otherwise private road (Adams Lane) abutting the Lane County border * Tax Lot 15-4-8-400 which is 1.88 acre of farmable land, also on the county border, east of 15-4-7-700, with no legal access.
	In considering this proposal, and in accordance to standard practice, the Financial Service Department has conducted outreach to the Department Heads of Community Development, Natural Areas, Parks, and Events, and Public Works to determine if the existing properties are needed and/or useable in meeting public need. In all cases, it was confirmed that these were not useable in meeting the needs of the public. In addition, the Financial Service Department has outreached to the Assessment Department to gather information on the value of each property. In terms of the 1.88 acres of farmland, the Assessment Department, currently views it as a strip, however, due to the fact that the proposer owns the contiguous properties as a farmland and will be adding this to the existing property, the value is estimated as a whole and this portion would be \$2,366. In terms of the small .06 acre of road segment, it is valued at a very low \$82. They believe an offer of \$2,500 for both properties would be in line since the only real use for these properties would be farming. In addition, based on comparables provided by proposer of other similar land sales, the proposed offer is in line with those transactions. Based on the allowance of Oregon Statutes, the determination of these properties not needing in meeting the needs of the public, and the estimated value of the property, the County recommends accepting this proposal. 1. Accept offer from Hubbard Family LLC to acquire said Benton County properties for a price of \$2,500 2. Reject offer from Hubbard Family LLC to acquire said Benton County properties and continue to maintain property.
Fiscal Impact *	☒ Yes ☐ No
Fiscal Impact Description *	The sale of these properties will provide for a \$2,500 revenue receipt to the County Land Sale Trust Fund. In addition, it will return both properties to the County tax roll for future property tax collection. Lastly, it will reduce financial risk exposure to potential cost of maintenance and/or issues on said property in which County could be liable.

2040 Thriving Communities Initiative

Mandated Service? * ☐ Yes ☒ No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values *

Select all that apply.

- ☒ Vibrant, Livable Communities
- ☐ Supportive People Resources
- ☐ High Quality Environment and Access
- ☒ Diverse Economy that Fits
- ☐ Community Resilience
- ☐ Equity for Everyone
- ☐ Health in All Actions
- ☐ N/A

Explain Core Values Selections *

Provides increased local agricultural opportunities for the County.

Focus Areas and Vision *

Select all that apply.

- ☐ Community Safety
- ☐ Emergency Preparedness
- ☐ Outdoor Recreation
- ☒ Prosperous Economy
- ☐ Environment and Natural Resources
- ☒ Mobility and Transportation
- ☐ Housing and Growth
- ☐ Arts, Entertainment, Culture, and History
- ☐ Food and Agriculture
- ☐ Lifelong Learning and Education
- ☐ N/A

Explain Focus Areas and Vision Selection *

This property will enable existing owner of adjacent property to expand agricultural opportunities in Benton County and support increased local tax revenues for county services.

Recommendations and Motions

Item Recommendations and Motions

Staff	Staff recommends approval of the resolution to accept the offer from Hubbard
Recommendations *	Family LLC to purchase county owned land which will be formalized through a quit claim deed.
Meeting Motions *	I move toapprove Resolution R2022-017 to accept an offer of \$2,500 from Hubbard Family LLC to convey the ownership of currently owned properties identified as Tax Lot 15-4-8-400 and 15-4-7-700

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

Hubbard Purchase Offer.pdf	13.54MB
Properties Map.pdf	1.37MB
Hubbard Family LLC Property Sale.docx	17.59KB

Comments (optional)

A quit claim deed will be provided for final packet no later than 11/25/2022.
If you have any questions, please call ext.6800

Department Approver

RICHARD CRAGER

Comments

Signature

Rick Crager

BOC Initial Approval

Approvals Required ☒ Counsel

☐ Finance

☐ HR

Counsel Approver VANCE CRONEY

**County
Administrator
Approver** JOE KERBY

Comments

Comments

Signature

Vance H. Cheney

Comments

Signature

Chapp Kelly

BOC Final Approval

Comments

Signature



Amanda Makepeace



Michael J. Gelardi
541-689-3094
mike@gelardilaw.com

November 4, 2022

BY EMAIL TO vance.m.croney@co.benton.or.us; rick.crager@co.benton.or.us

Benton County Board of Commissioners
c/o Rick Crager, Chief Financial Officer
4500 SW Research Way
Corvallis, OR 97333

Re: Hubbard Family LLC purchase offer for county-owned land

Dear Commissioners,

My law firm represents Hubbard Family LLC (“Hubbard”), which owns a tract of farmland along the border of Benton and Lane counties off Noraton Road near Monroe. Hubbard would like to purchase two small parcels of land adjacent Hubbard’s land that were foreclosed on by the county many years ago and are not in use by the county. We have been working with various county staff on this for the past nine months and are pleased to be able to make a formal offer to you now for this land.

Hubbard offers to purchase these two parcels for a total of \$2,500. The history of this land and Hubbard’s interest in the land is described below.

A. The property

Hubbard proposes to purchase two parcels of land from the county. The first parcel is map and tax lot 15-4-7-700, which was foreclosed on by the county in 1975 per tax collector’s deed recorded as instrument number M55583. Tax lot 700 is a very small, 0.06-acre segment of an otherwise private road (Adams Lane) abutting the Lane County border. Hubbard owns the entire length of the road, except for tax lot 700.

The second parcel is map and tax lot 15-4-8-400, which was foreclosed on by the county in 2000 per tax collector’s deed recorded as instrument no. M278760. Tax lot 400 is 1.88 acres of farmable land, also on the county border, east of the road segment above. Tax lot 400 has no legal access. Hubbard farms adjacent land.

Benton County Board of Commissioners

November 4, 2022

Page 2

B. Property history

Tax lots 700 and 400 were historically part of a larger tract of land along the Benton-Lane county border owned by R.L. Heustis in the early 1900s. Heustis parceled off surrounding lands and eventually abandoned tax lots 700 and 400, as well as an adjacent strip of land in Lane County used as a roadway now known as Adams Lane.

After discovering Heustis' abandoned property interest in 2018, Hubbard identified and located the living heirs of R.L. Heustis and was able to purchase the Lane County portion of Adams Lane from them. In the case of tax lots 700 and 400, ownership reverted to Benton County through the foreclosure process instead of remaining with Heustis' heirs, and so Hubbard seeks to purchase these parcels from the county.

C. Hubbard's plans and benefits of sale

Hubbard's use of tax lots 400 and 700 would complement Hubbard's farming operation on surrounding lands and ensure proper maintenance of Adams Lane. Hubbard wishes to farm tax lot 400 in conjunction with adjacent land. Acquisition of the road segment at tax lot 700 will assist Hubbard's efforts to ensure cooperative management of the roadway with neighbors along Adams Lane. Because Hubbard owns the roadway in both directions from Tax Lot 700, sale of this land to Hubbard will not affect access rights along Adams Lane.

Although the value of the parcels is small, the sale would benefit the county by returning the parcels to the tax roll and avoiding liability issues associated with the county owning land that it is not managing (particularly the roadway segment). The sale also gives the county an opportunity to support the local agricultural community.

D. Pricing of property

Hubbard proposes to purchase both tax lots for \$2,500, consistent with Hubbard's previous discussions with the county and the attached comparable sales that Hubbard provided to county staff in June 2022. We understand that the county tax assessor has since determined a similar value for the properties.

Thank you for your consideration of this purchase offer.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. J. Gelardi", is written over a light blue horizontal line.

Michael Gelardi

Attachment



5/3/2022, 4:26:13 PM

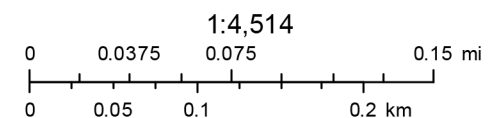
Taxlots

Sectionlines

Override 1 --- SEC-LINE

 Cities and Places

 County Boundary

 County Parks


Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Benton County, Oregon

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes.



Map & tax lot: 1504070000102 (Lane County)

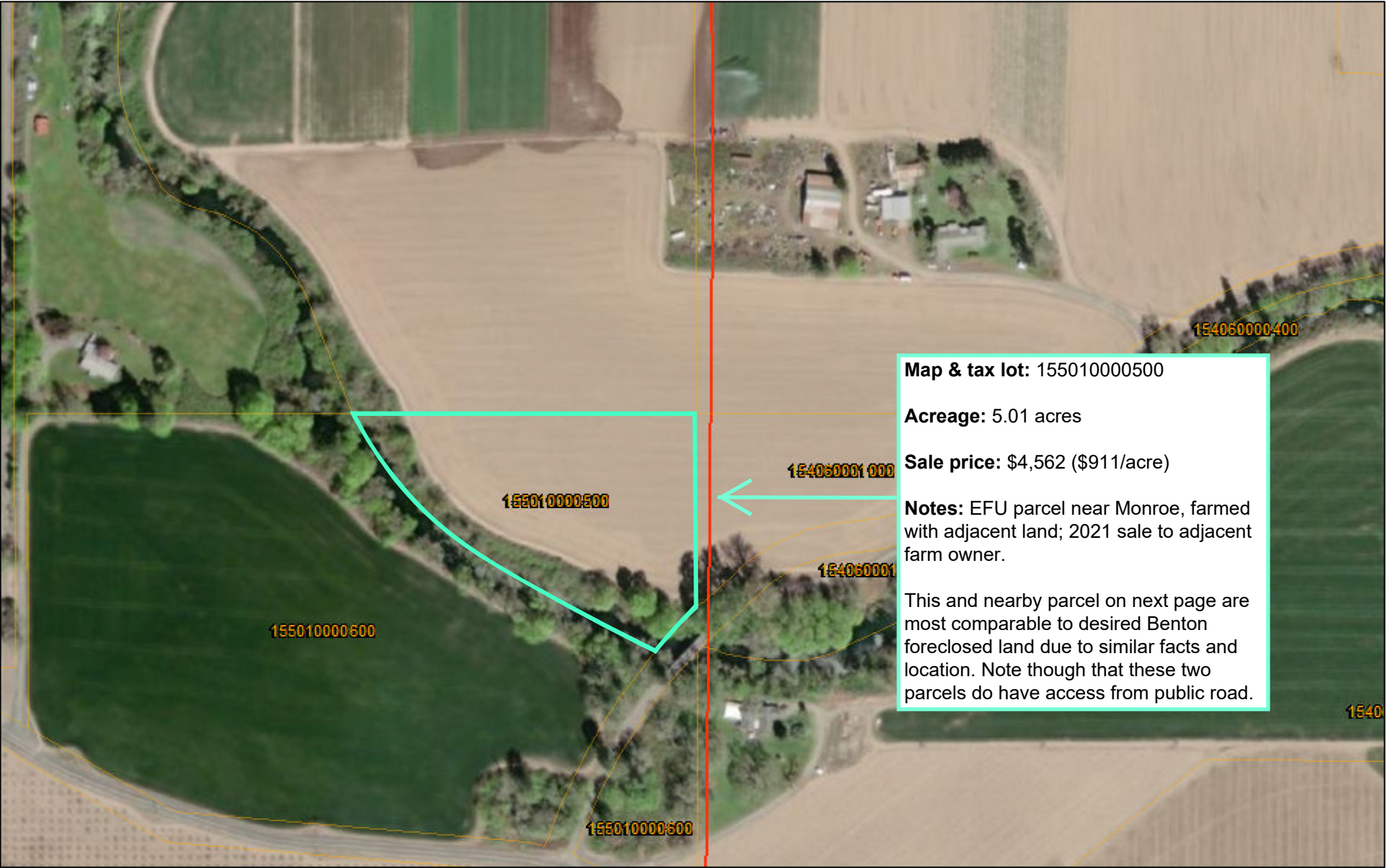
Acreage: 0.87 acres

Sale price: \$4,500 (\$5.2k/acre)

Notes: Adams Lane parcel; Purchased in 2018 by adjacent property owner. This owner now seeks to purchase adjacent/nearby land foreclosed by Benton County.

The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc., for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.





5/3/2022, 4:27:31 PM

Taxlots

Override 1

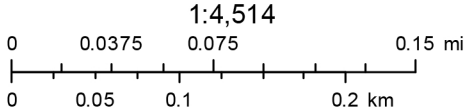
Sectionlines

— TWP-LINE

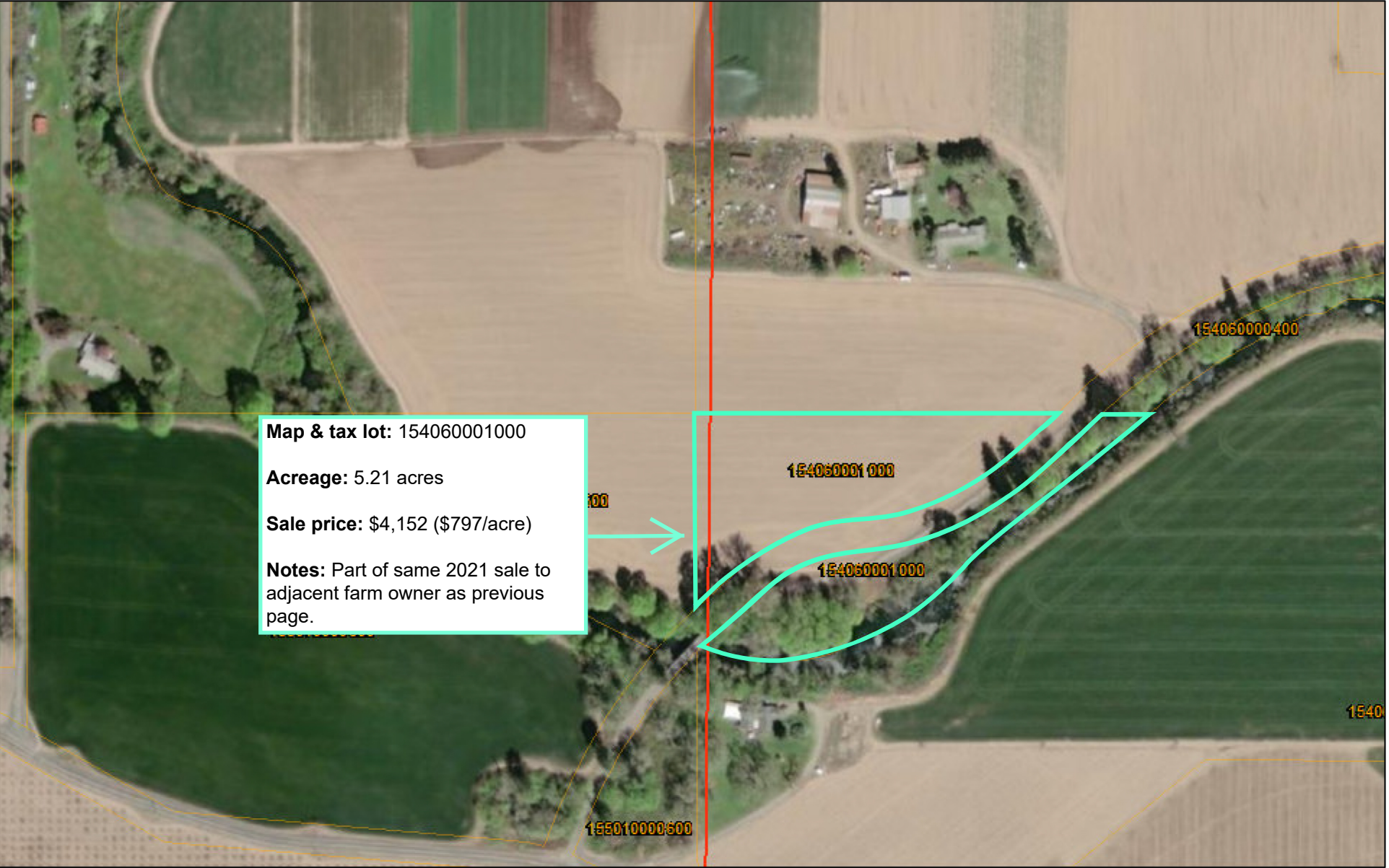
□ Cities and Places

□ County Boundary

□ County Parks



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

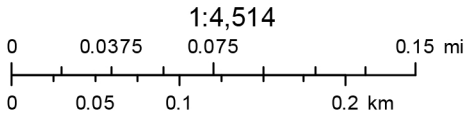


5/3/2022, 4:27:31 PM

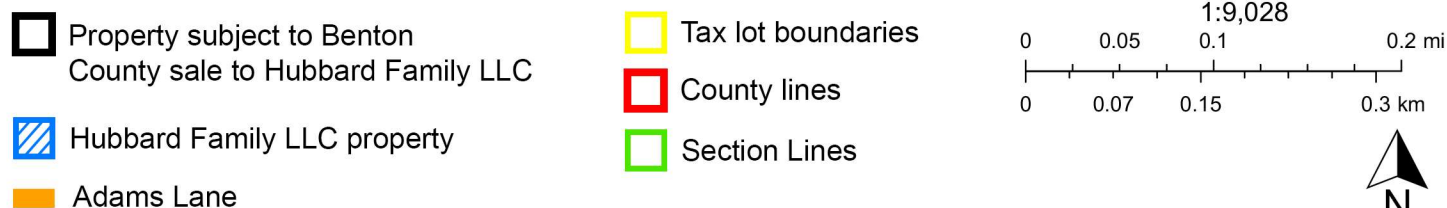
Taxlots
Override 1

Sectionlines
TWP-LINE
Cities and Places

County Boundary
County Parks



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



BEFORE THE BOARD OF COMMISSIONERS
FOR THE STATE OF OREGON, FOR COUNTY OF BENTON

In the Matter of Sale of Property valued)
Less than \$15,000 and non-buildable) RESOLUTION NO. R2022-017

WHEREAS, Benton County tax lot 15-4-7-700 is a parcel of land owned by Benton County with a value of less than \$15,000; and

WHEREAS, Benton County tax lot 15-4-8-400 is a parcel of land owned by Benton County with a value of less than \$15,000; and

WHEREAS, the combined value of both tax lots 700 and 400 is less than \$15,000; and

WHEREAS, Benton County has determined that both tax lot 15-4-7-700 and 15-4-8-400 have no useful purpose to the county and Hubbard Family LLC have submitted an offer to purchase both parcels for the amount of \$2,500; and

WHEREAS ORS 275.225 (1) allows the Board of Commissioners to sell any real property assessed at less than \$15,000 which is unsuitable for the construction or placement of a dwelling under applicable zoning ordinance and building codes.

NOW, THEREFORE, IT IS HEREBY ORDERED that Benton County will convey tax lot 15-4-7-700 and 15-4-8-400 to Hubbard Family LLC; and

BE IT FURTHER ORDERED that the Chair of the Board of Commissioners is authorized to sign the quitclaim deed on behalf of Benton County.

ADOPTED this 29th day of November, 2022.

SIGNED this 29th day of November, 2022.

BENTON COUNTY BOARD OF COMMISSIONERS

Nancy Wyse, Chair

Pat Malone, Commissioner

Xanthippe Augerot, Commissioner

Approved as to form:

Vance M. Croney, Benton County Counsel

BEFORE THE BOARD OF COMMISSIONERS
FOR THE STATE OF OREGON, FOR COUNTY OF BENTON

In the Matter of Sale of Property valued)
Less than \$15,000 and non-buildable)

RESOLUTION NO. R2022-017

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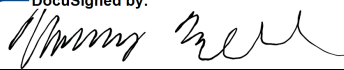
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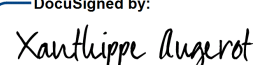
SIGNED this 29th day of November, 2022.

BENTON COUNTY BOARD OF COMMISSIONERS

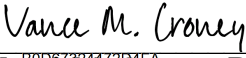
DocuSigned by:

85593F1F943F4FD
Nancy Wyse, Chair

DocuSigned by:

7249C1377E0E4AF
Pat Malone, Commissioner

DocuSigned by:

66F405FE8021469
Xanthippe Augerot, Commissioner

Approved as to form:

DocuSigned by:

B0D6732472B4FA
Vance M. Croney, Benton County Counsel



Michael J. Gelardi
541-689-3094
mike@gelardilaw.com

November 4, 2022

BY EMAIL TO vance.m.cronney@co.benton.or.us; rick.crager@co.benton.or.us

Benton County Board of Commissioners
c/o Rick Crager, Chief Financial Officer
4500 SW Research Way
Corvallis, OR 97333

Re: Hubbard Family LLC purchase offer for county-owned land

Dear Commissioners,

My law firm represents Hubbard Family LLC (“Hubbard”), which owns a tract of farmland along the border of Benton and Lane counties off Noraton Road near Monroe. Hubbard would like to purchase two small parcels of land adjacent Hubbard’s land that were foreclosed on by the county many years ago and are not in use by the county. We have been working with various county staff on this for the past nine months and are pleased to be able to make a formal offer to you now for this land.

Hubbard offers to purchase these two parcels for a total of \$2,500. The history of this land and Hubbard’s interest in the land is described below.

A. The property

Hubbard proposes to purchase two parcels of land from the county. The first parcel is map and tax lot 15-4-7-700, which was foreclosed on by the county in 1975 per tax collector’s deed recorded as instrument number M55583. Tax lot 700 is a very small, 0.06-acre segment of an otherwise private road (Adams Lane) abutting the Lane County border. Hubbard owns the entire length of the road, except for tax lot 700.

The second parcel is map and tax lot 15-4-8-400, which was foreclosed on by the county in 2000 per tax collector’s deed recorded as instrument no. M278760. Tax lot 400 is 1.88 acres of farmable land, also on the county border, east of the road segment above. Tax lot 400 has no legal access. Hubbard farms adjacent land.

B. Property history

Tax lots 700 and 400 were historically part of a larger tract of land along the Benton-Lane county border owned by R.L. Heustis in the early 1900s. Heustis parceled off surrounding lands and eventually abandoned tax lots 700 and 400, as well as an adjacent strip of land in Lane County used as a roadway now known as Adams Lane.

After discovering Heustis' abandoned property interest in 2018, Hubbard identified and located the living heirs of R.L. Heustis and was able to purchase the Lane County portion of Adams Lane from them. In the case of tax lots 700 and 400, ownership reverted to Benton County through the foreclosure process instead of remaining with Heustis' heirs, and so Hubbard seeks to purchase these parcels from the county.

C. Hubbard's plans and benefits of sale

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Although the value of the parcels is small, the sale would benefit the county by returning the parcels to the tax roll and avoiding liability issues associated with the county owning land that it is not managing (particularly the roadway segment). The sale also gives the county an opportunity to support the local agricultural community.

D. Pricing of property

Hubbard proposes to purchase both tax lots for \$2,500, consistent with Hubbard's previous discussions with the county and the attached comparable sales that Hubbard provided to county staff in June 2022. We understand that the county tax assessor has since determined a similar value for the properties.

Thank you for your consideration of this purchase offer.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. J. Gelardi", written in a cursive style.

Michael Gelardi

Attachment

Attachment 1 -- Comparable Property Sales



5/3/2022, 4:26:13 PM

Taxlots

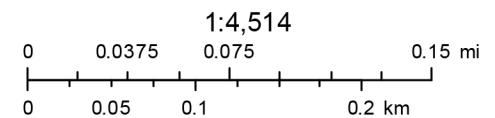
Sectionlines

Override 1 --- SEC-LINE

 Cities and Places

 County Boundary

 County Parks



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Benton County, Oregon

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes.



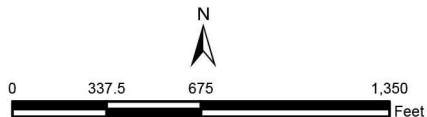
Map & tax lot: 1504070000102 (Lane County)

Acreage: 0.87 acres

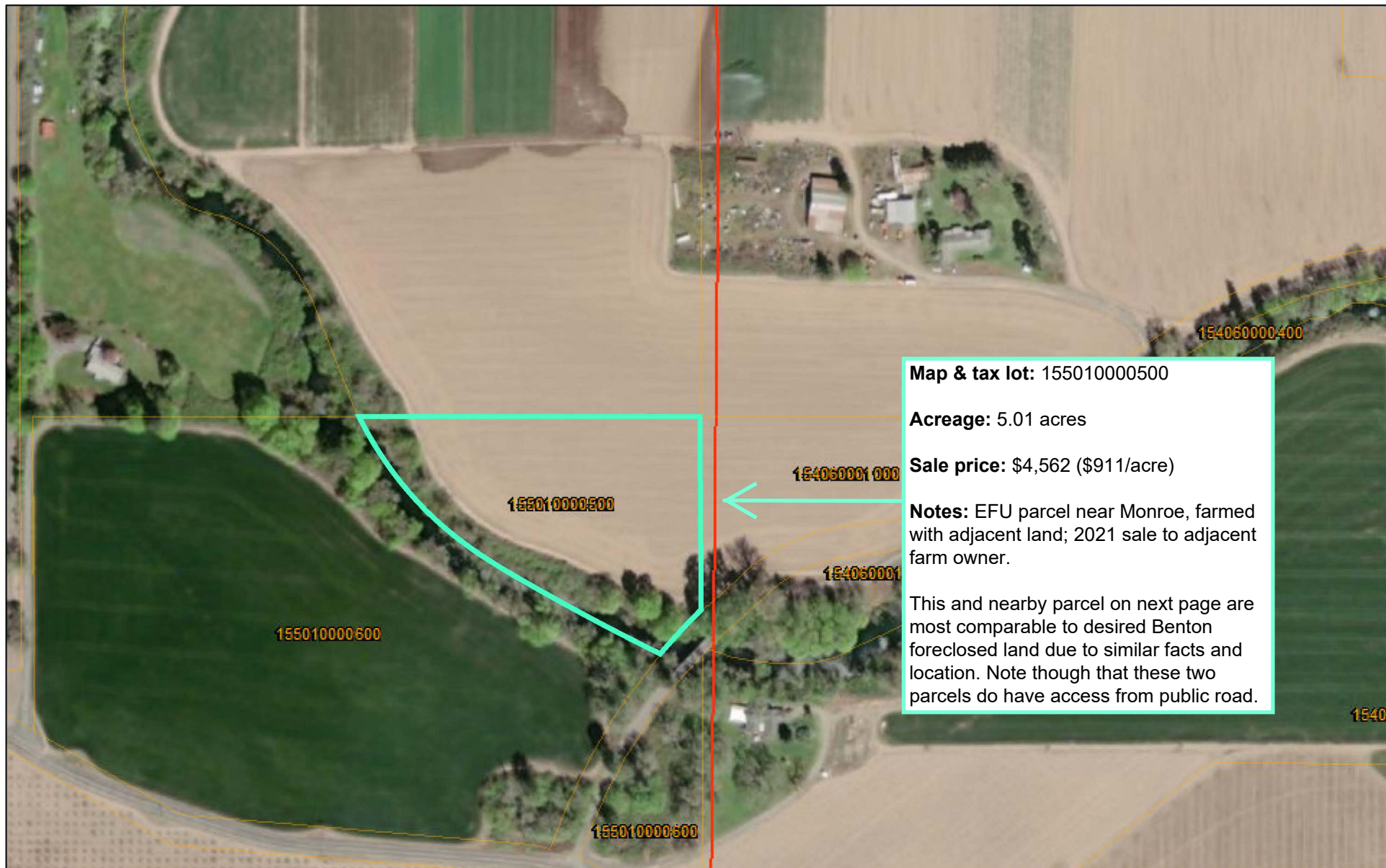
Sale price: \$4,500 (\$5.2k/acre)

Notes: Adams Lane parcel; Purchased in 2018 by adjacent property owner. This owner now seeks to purchase adjacent/nearby land foreclosed by Benton County.

The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc., for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.



Lane County, Oregon



Map & tax lot: 155010000500

Acreage: 5.01 acres

Sale price: \$4,562 (\$911/acre)

Notes: EFU parcel near Monroe, farmed with adjacent land; 2021 sale to adjacent farm owner.

This and nearby parcel on next page are most comparable to desired Benton foreclosed land due to similar facts and location. Note though that these two parcels do have access from public road.

5/3/2022, 4:27:31 PM

Taxlots

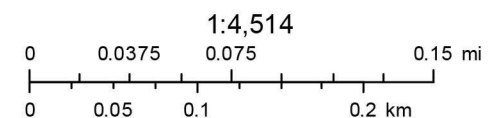
Sectionlines

Override 1 — TWP-LINE

 Cities and Places

 County Boundary

 County Parks



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Benton County, Oregon

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Map & tax lot: 154060001000

Acreage: 5.21 acres

Sale price: \$4,152 (\$797/acre)

Notes: Part of same 2021 sale to adjacent farm owner as previous page.

5/3/2022, 4:27:31 PM

Taxlots

Sectionlines

Override 1



Cities and Places



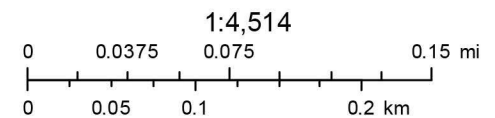
County Boundary



County Parks



TWP-LINE



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Benton County, Oregon

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes.

DEPARTMENTAL REPORTS AND REQUESTS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 11/29/22

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Community Development

Contact Name * Daniel Redick

Phone Extension * 6014

Meeting Attendee Name * Daniel Redick, Greg Verret, Julie Jackson
(Republic Services)

Agenda Item Details



Item Title * Republic Services Annual Refuse Rate Index (RRI) Adjustments to Solid Waste Collection Rates

Item Involves * Check all that apply

- ☐ Appointments
- ☐ Budget
- ☐ Contract/Agreement
- ☐ Discussion and Action
- ☒ Discussion Only
- ☐ Document Recording
- ☐ Employment
- ☐ Notice of Intent
- ☐ Order/Resolution
- ☐ Ordinance/Public Hearing 1st Reading
- ☐ Ordinance/Public Hearing 2nd Reading
- ☐ Proclamation
- ☐ Project/Committee Update
- ☐ Public Comment
- ☐ Special Report
- ☐ Other

Estimated Time * 15 Minutes

Board/Committee Involvement * ☐ Yes
☒ No

Advertisement *

☐ Yes
☒ No

Issues and Fiscal Impact

Item Issues and Description

**Identified Salient
Issues ***

According to the terms of Benton County Code 23.510, rates may only be adjusted based on CPI adjustments or through the rate adjustment process specified in BCC 23.510 (1) through (8). On October 6, 2022, Benton County received Attachment #1 pertaining to the RRI adjustments for 2023 and the adjusted rates. The RRI adjustment factor is 4.0%, or an average increase of \$1.17 per residential account per month. No action regarding the RRI adjustments is required by the Board. Rates will go into effect on January 1, 2023.

Options *

N/A

Fiscal Impact *

- ☒ Yes
☐ No

**Fiscal Impact
Description ***

The RRI rate adjustments will increase service costs by an average of \$1.17 per residential account per month.

2040 Thriving Communities Initiative

Mandated Service? * ☐ Yes ☒ No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values *

Select all that apply.

- ☐ Vibrant, Livable Communities
- ☐ Supportive People Resources
- ☒ High Quality Environment and Access
- ☐ Diverse Economy that Fits
- ☐ Community Resilience
- ☐ Equity for Everyone
- ☐ Health in All Actions
- ☐ N/A

Explain Core Values Selections *

Waste hauling services help to prevent waste materials from entering the environment and natural spaces.

Focus Areas and Vision *

Select all that apply.

- ☐ Community Safety
- ☐ Emergency Preparedness
- ☐ Outdoor Recreation
- ☐ Prosperous Economy
- ☒ Environment and Natural Resources
- ☐ Mobility and Transportation
- ☐ Housing and Growth
- ☐ Arts, Entertainment, Culture, and History
- ☐ Food and Agriculture
- ☐ Lifelong Learning and Education
- ☐ N/A

Explain Focus Areas and Vision Selection *

Recycling and Organics collection helps to efficiently and effectively recover materials that may otherwise be landfilled, conserving valuable material resources and reducing greenhouse gas impacts.

Recommendations and Motions

Item Recommendations and Motions

Staff Discussion item only.
Recommendations *

Meeting Motions * I move to ...
Discussion item only.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

Attachment 1_2023 RRI Packet Benton County.pdf 959.97KB

Comments (optional)

If you have any questions, please call ext.6800

**Department
Approver**

GREG VERRET

Comments

Signature

Darren Nichols

Approvals Required ☒ Counsel ☒ Finance ☐ HR

Counsel Approver VANCE CRONEY

Finance Approver RICHARD CRAGER

County Administrator
Approver JOE KERBY

Comments

Comments

Signature

Vance H. Cheney

Comments

Signature

Rick Crager

Comments

Signature

Theresa Kelly

BOC Final Approval

Comments

Signature

A handwritten signature in black ink on a light gray rectangular background. The signature reads "Amanda Hakepeace" in a cursive script.



October 5, 2022

Benton County Commissioners
Benton County Staff

This report provides information necessary to calculate the annual Refuse Rate Index (RRI) effective January 1, 2023. This calculation is based on the Consumer Price Index and disposal costs. Based on these factors, the calculated adjustment for January 1, 2023, *would* be 8.8%

We have all struggled with an uncertain economy. Among the most impactful to our industry has been the volatility and high price of fuels. We have almost weathered 2022, saw fuel prices moderate and now go back up. With that in mind and even though the proposed calculated adjustment is much higher, we are adjusting the RRI to reflect our best estimate of fuel pricing for 2023. The rate adjustment we are putting forward is 4%, which equates to an average of \$1.17 per month for residential customers.

In addition to rate adjustments, we would like to provide updates on several issues that we reported on in 2021.

Driver Shortage

- In 2021 we reported to you that there was a shortage of drivers in the workforce.
- While there is still a driver shortage nationwide, we are pleased to report that we are fully staffed and provide better than living wage jobs for more than 60 people in the Corvallis division.

On a Sustainability Note:

During the 2021 Legislative session, the Plastic Pollution and Recycling Modernization Act (Senate Bill 582) was pass and signed into law. The program changes, including extended producer responsibility, truth in labeling and a statewide list of materials that can be recycled at the curb, making recycling equitable for all communities will begin in July 2025. Republic Services has been actively participating with the Oregon Department of Environmental Quality committees to stay informed as this law moves toward action. It will impact

cities, but you can be assured that Republic Services will continue to stay informed and work with the Benton County to implement future changes.

Republic Services is also working on an innovative solution to create plastics circularity with a facility being built in Las Vegas, NV. The Polymer Center is the first of its kind in the industry and will use an integrated process to take recycled plastics from the curb to delivery of high-quality recycled content for consumer packaging to domestic markets. When complete in 2023, the Polymer Center will accept plastics from western states.

In addition, Republic Services is committed to electrifying our fleet as quickly as possible and is working with major truck manufacturers to help develop the best EV's in class.

We appreciate your comments and suggestions as you review this document. Feel free to contact us with questions or to receive a digital copy of the Republic Services 2021 Sustainability Report.

Best Regards,

Julie Jackson



Municipal Relations Manager

Republic Services

541-936-3314

jackson6@republicservices.com

General Manager

Republic Services

541-286-3311

b.davis@republicservices.com

Republic Services - Benton County RRI

	Index: June 30, 2021	Index: June 30, 2022	% Change	Weight	Refuse Index
CPI - West Size Class B/C All Urban Consumers	164.471	178.521	8.5%	75%	6.4%
Coffin Butte Benton County Disposal Rate	\$ 33.92	\$ 37.86	11.6%	17%	2.0%
PRC Disposal Rate for RS of Corvallis	\$ 52.50	\$ 55.00	4.8%	8%	0.4%
Rate Adjustment %					8.8%
					100.0%
Adjustment Factor					108.8%

RS of Corvallis

10/4/2022

Residential		
Can,20g, 35g, 65g, 90g, 64g & 90g Monthly, On Call, YW, RC		
Service	Monthly	Bi-Monthly
HHW Fee	NA	
1 Can	\$43.57	\$87.14
2 Can	\$62.50	\$125.00
3 Can	\$83.86	\$167.72
32g bi-wk	NA	
20g cart	\$30.00	\$60.00
35g cart	\$32.21	\$64.42
65g cart	\$40.08	\$80.16
90g cart	\$49.31	\$98.62
64g cart Monthly	\$13.80	\$27.60
90g cart Monthly	\$16.52	\$33.04
On call 35g	\$18.32	Per Pick Up
2nd Yw w/ Weekly or bi-weekly Trash	\$9.87	\$19.74
2nd RC w/ Weekly or bi-weekly Trash	\$8.16	\$16.32
YW w/On Call or Monthly Trash	\$8.16	\$16.32
RC w/On Call or Monthly Trash	\$8.16	\$16.32
RC Only	NA	
Drive Up	\$20.49	\$40.98
Misc		
Return Trip (In Area-On Service Day)-RTN		\$29.46
Residential Extra Pick Up - EXR		\$59.52
Residential Container Exchange (1x year @ no charge)		\$47.61

Mobile Home Pk Non-Standard Cart-(park pays for 35g)
Customer pays difference between larger cart and 35g

Special Pick Ups - Rt 420 - Within 2 Days of Request	
FUR-Furniture	\$41.04
MAT-Mattress or boxspring	\$39.76
BU1-Dead Deer	\$135.63
Special Pick Ups - Rt 914 - Serv Day	
APP-Appliance Without Freon	\$39.76
APN-Appliance With Freon	\$51.28
Misc	
EXB-Extra 32 gal can/bag/box/heavy	\$7.74
Extra loose garbage per yard-EXY	\$34.02
Time per minute to p/u loose garbage (5minute min)	\$2.32
Each Extra Person Req To Pu Loose Garbage Per Min	\$1.04
LLK-Locking Cart Set Up	NA
Labor Charges Per Hour (Calculation-Per Min X 60)	\$139.20

Supplemental Service Fees	
Commercial Delivery	\$29.76
Commercial Exchange-EXC	\$100.52
Commercial Dry Run-DRY	\$64.47
Commercial Extra Lift-EXT	See Below EXT
Commercial Extra Yardage-EXY	\$34.02
Commercial Relocate-REL	\$64.47
Commercial Removal	NA
Industrial Delivery	\$63.24
Industrial Exchange-EXC	\$100.63
Industrial Exchange-Off Site	\$100.63
Industrial Dry Run-DRY	\$64.03
Industrial Relocate-REL	\$63.24
Industrial Removal	\$64.03
Residential Delivery	\$30.00
Residential Removal (delinquent / per cart)	NA
Late Fee	0.75%
Returned Check Fee	\$25.00
Service Interrupt Fee	\$30.00
Account Origination Fee	\$10.00
Commercial Container Recovery Fee	\$400.00
Industrial Container Recovery Fee	\$3,000.00
Bin Replacement	NA
32/35g Cart Recovery/Replacement	\$75.00
65G/RC Cart Recovery/Replacement	\$75.00
90g,Yc Cart Recovery/Replacement	\$75.00
Monthly Recycle Processing Surcharge	\$2.00
Contaminated Recycle or Yard Waste Cart	\$15.00

Temp		
Size	1st Dump	Max Rent
1.5yd	\$70.26	\$37.59
Rent- Prorated Per Day		
On Call Containers/EXT Rates		
Size	Dump Fee	Rent
1 yd	\$36.55	\$30.10
1.5 yd	\$52.74	\$33.01
2 yd	\$66.99	\$36.15
3 yd	\$91.03	\$40.74
4 yd	\$106.68	\$43.59
6 yd	\$147.90	\$46.74
Mixed Organics		
1st Cart		\$64.90
Extra Food Waste Carts		\$9.45
Recycling		
RC	32g/65g/90g	\$2.00

Commercial					
Auto					
Size	1/week	2/week	3/week	4/week	5/week
1 yd	\$123.97	\$233.45	\$343.04	\$452.71	\$562.44
1.5 yd	\$143.77	\$271.54	\$399.82	\$527.75	\$655.78
2 yd	\$175.56	\$332.26	\$489.27	\$645.91	\$802.91
3 yd	\$248.47	\$460.12	\$656.04	\$854.20	\$1,050.40
4 yd	\$318.21	\$586.24	\$824.29	\$1,082.31	\$1,320.51
6 yd	\$412.10	\$756.28	\$1,042.39	\$1,328.39	\$1,727.95
Manual					
Size	1/week	2/week	3/week	4/week	5/week
1 yd	\$137.58	\$259.42	\$381.47	\$503.32	\$624.32
1.5 yd	\$177.37	\$337.56	\$497.63	\$657.71	\$817.65
2 yd	\$217.12	\$413.74	\$610.40	\$806.81	\$1,003.33
3 yd	\$305.41	\$573.58	\$833.72	\$1,078.25	\$1,334.58
4 yd	\$389.15	\$722.69	\$1,022.87	\$1,345.14	\$1,645.32
6 yd	\$511.30	\$947.37	\$1,318.44	\$1,689.73	\$2,056.43

Customer Owned - Auto					
Size	1/week	2/week	3/week	4/week	5/week
1 yd	\$115.40	\$225.32	\$336.46	\$447.11	\$557.66
1.5 yd	\$134.22	\$263.55	\$392.54	\$521.53	\$650.70
2 yd	\$165.18	\$323.12	\$481.37	\$639.45	\$797.74
3 yd	\$234.84	\$449.73	\$647.60	\$847.31	\$1,044.92
4 yd	\$304.30	\$574.66	\$814.70	\$1,075.01	\$1,315.16
6 yd	\$395.52	\$742.49	\$1,030.98	\$1,319.56	\$1,604.00
Customer Owned - Manual					
Size	1/week	2/week	3/week	4/week	5/week
1 yd	\$124.10	\$242.48	\$360.77	\$478.95	\$597.18
1.5 yd	\$161.49	\$317.05	\$472.37	\$627.66	\$782.98
2 yd	\$198.88	\$389.58	\$580.40	\$771.31	\$962.14
3 yd	\$282.38	\$542.77	\$795.16	\$1,032.73	\$1,280.95
4 yd	\$345.42	\$655.64	\$934.62	\$1,233.80	\$1,512.82
6 yd	\$476.31	\$899.35	\$1,259.64	\$1,619.57	\$1,976.30

Misc:	EP1-Return Trip	\$64.47	LLK-Locking Container Set Up	\$103.15	LOC-Lock & Key	\$24.49	XCS-Container Over Weight Charge per 500 lbs	\$42.09	Bulk pick up same as residential
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Temp	
Prepayment	\$313.96
30yd Haul	\$286.70
Rent Per Day	Pro Rated
Rent Per Month	\$168.66
Perm	
10yd Haul	\$286.70
20yd Haul	\$286.70
30yd Haul	\$286.70
40yd Haul	\$286.70
Perm Rent Per Month 10yd	\$105.41
Perm Rent Per Month 20yd	\$119.45
Perm Rent Per Month 30yd	\$133.64
Perm Rent Per Month 40yd	\$147.69
Perm Industrial Rent Per Month 10yd RE (lidded)	\$126.48
Perm Industrial Rent Per Month 20yd RE (lidded)	\$140.52
Perm Industrial Rent Per Month 30yd RE (lidded)	\$154.71
Perm Industrial Rent Per Month 40yd RE (lidded)	\$168.76

Trash Compactors	
30yd Trash Compactor Haul Fee	\$344.34
35yd Trash Compactor Haul Fee	\$344.34
40yd Trash Compactor Haul Fee	\$344.34
Cardboard Compactors	
30yd OCC Compactor Haul Fee	\$180.50
35yd OCC Compactor Haul Fee	\$180.50
40yd OCC Compactor Haul Fee	\$180.50
Disposal *Pass Through Charges	
Trash - Per Ton	\$35.00
Wood - Per Ton	\$52.50
YW - Per Ton	\$52.50
Env Fee - Trash/YW/Wood	\$18.00
Metal	\$0.00
Concrete	\$75.00

Industrial

Security Box	
Rent	\$120.00
Delivery	\$87.00

Compactors						
Size	On Call	1/week	2/week	3/week	4/week	5/week
4yd	\$129.05	\$484.05	\$877.69	\$1,265.76	\$1,673.09	\$2,061.06
6yd	\$173.44	\$627.85	\$1,197.56	\$1,711.96	\$2,226.50	\$2,737.01

Misc	
Lidded Ind. Cont. Add. Rental Fee per Month	\$21.07
Compactor Cleaning	Per Hour
Asbestos Haul	\$386.48
Metro City Metal Haul	\$322.35
WRI Haul	\$528.34
TIR-Tires	\$16.90
BU2-Tires with rim	\$30.95
BU3-Truck Tires	\$37.97
BU4-Truck Tires with rim	\$52.04

RS of Corvallis

Rate Effective 1/1/23

10/4/2022

Residential		
Can,20g, 35g, 65g, 90g, 64g & 90g Monthly, On Call, YW, RC		
Service	Monthly	Bi-Monthly
HHW Fee	NA	
1 Can	\$45.31	\$90.62
2 Can	\$65.00	\$130.00
3 Can	\$87.21	\$174.42
32g bi-wk	NA	
20g cart	\$31.20	\$62.40
35g cart	\$33.50	\$67.00
65g cart	\$41.68	\$83.36
90g cart	\$51.28	\$102.56
64g cart Monthly	\$14.35	\$28.70
90g cart Monthly	\$17.18	\$34.36
On call 35g	\$19.05	Per Pick Up
2nd Yw w/ Weekly or bi-weekly Trash	\$10.26	\$20.52
2nd RC w/ Weekly or bi-weekly Trash	\$8.49	\$16.98
YW w/On Call or Monthly Trash	\$8.49	\$16.98
RC w/On Call or Monthly Trash	\$8.49	\$16.98
RC Only	NA	
Drive Up	\$21.31	\$42.62
Misc		
Return Trip (In Area-On Service Day)-RTN		\$30.64
Residential Extra Pick Up - EXR		\$61.90
Residential Container Exchange (1x year @ no charge)		\$49.51

Mobile Home Pk Non-Standard Cart-(park pays for 35g)
Customer pays difference between larger cart and 35g

Special Pick Ups - Rt 420 - Within 2 Days of Request	
FUR-Furniture	\$42.68
MAT-Mattress or boxspring	\$41.35
BU1-Dead Deer	\$141.06
Special Pick Ups - Rt 914 - Serv Day	
APP-Appliance Without Freon	\$41.35
APN-Appliance With Freon	\$53.33
Misc	
EXB-Extra 32 gal can/bag/box/heavy	\$8.05
Extra loose garbage per yard-EXY	\$35.38
Time per minute to p/u loose garbage (5minute min)	\$2.41
Each Extra Person Req To Pu Loose Garbage Per Min	\$1.08
LLK-Locking Cart Set Up	NA
Labor Charges Per Hour (Calculation-Per Min X 60)	\$144.60

Supplemental Service Fees	
Commercial Delivery	\$30.95
Commercial Exchange-EXC	\$104.54
Commercial Dry Run-DRY	\$67.05
Commercial Extra Lift-EXT	See Below EXT
Commercial Extra Yardage-EXY	\$35.38
Commercial Relocate-REL	\$67.05
Commercial Removal	NA
Industrial Delivery	\$65.77
Industrial Exchange-EXC	\$104.66
Industrial Exchange-Off Site	\$104.66
Industrial Dry Run-DRY	\$66.59
Industrial Relocate-REL	\$65.77
Industrial Removal	\$66.59
Residential Delivery	\$30.00
Residential Removal (delinquent / per cart)	NA
Late Fee	0.75%
Returned Check Fee	\$25.00
Service Interrupt Fee	\$30.00
Account Origination Fee	\$10.00
Commercial Container Recovery Fee	\$400.00
Industrial Container Recovery Fee	\$3,000.00
Bin Replacement	NA
32/35g Cart Recovery/Replacement	\$75.00
65G/RC Cart Recovery/Replacement	\$75.00
90g,Yc Cart Recovery/Replacement	\$75.00
Monthly Recycle Processing Surcharge	\$0.00
Contaminated Recycle or Yard Waste Cart	\$15.00

Temp		
Size	1st Dump	Max Rent
1.5yd	\$73.07	\$39.09
Rent- Prorated Per Day		
On Call Containers/EXT Rates		
Size	Dump Fee	Rent
1 yd	\$38.01	\$31.30
1.5 yd	\$54.85	\$34.33
2 yd	\$69.67	\$37.60
3 yd	\$94.67	\$42.37
4 yd	\$110.95	\$45.33
6 yd	\$153.82	\$48.61
Mixed Organics		
1st Cart		\$67.50
Extra Food Waste Carts		\$9.83
Recycling		
RC	32g/65g/90g	\$2.00

Commercial					
Auto					
Size	1/week	2/week	3/week	4/week	5/week
1 yd	\$128.93	\$242.79	\$356.76	\$470.82	\$584.94
1.5 yd	\$149.52	\$282.40	\$415.81	\$548.86	\$682.01
2 yd	\$182.58	\$345.55	\$508.84	\$671.75	\$835.03
3 yd	\$258.41	\$478.52	\$682.28	\$888.37	\$1,092.42
4 yd	\$330.94	\$609.69	\$857.26	\$1,125.60	\$1,373.33
6 yd	\$428.58	\$786.53	\$1,084.09	\$1,381.53	\$1,797.07
Manual					
Size	1/week	2/week	3/week	4/week	5/week
1 yd	\$143.08	\$269.80	\$396.73	\$523.45	\$649.29
1.5 yd	\$184.46	\$351.06	\$517.54	\$684.02	\$850.36
2 yd	\$225.80	\$430.29	\$634.82	\$839.08	\$1,043.46
3 yd	\$317.63	\$596.52	\$867.07	\$1,121.38	\$1,387.96
4 yd	\$404.72	\$751.60	\$1,063.78	\$1,398.95	\$1,711.13
6 yd	\$531.75	\$985.26	\$1,371.18	\$1,757.32	\$2,138.69

Customer Owned - Auto					
Size	1/week	2/week	3/week	4/week	5/week
1 yd	\$120.02	\$234.33	\$349.92	\$464.99	\$579.97
1.5 yd	\$139.59	\$274.09	\$408.24	\$542.39	\$676.73
2 yd	\$171.79	\$336.04	\$500.62	\$665.03	\$829.65
3 yd	\$244.23	\$467.72	\$673.50	\$881.20	\$1,086.72
4 yd	\$316.47	\$597.65	\$847.29	\$1,118.01	\$1,367.77
6 yd	\$411.34	\$772.19	\$1,072.22	\$1,372.34	\$1,668.16
Customer Owned - Manual					
Size	1/week	2/week	3/week	4/week	5/week
1 yd	\$129.06	\$252.18	\$375.20	\$498.11	\$621.07
1.5 yd	\$167.95	\$329.73	\$491.26	\$652.77	\$814.30
2 yd	\$206.84	\$405.16	\$603.62	\$802.16	\$1,000.63
3 yd	\$293.68	\$564.48	\$826.97	\$1,074.04	\$1,332.19
4 yd	\$359.24	\$681.87	\$972.00	\$1,283.15	\$1,573.33
6 yd	\$495.36	\$935.32	\$1,310.03	\$1,684.35	\$2,055.35

Misc:	EP1-Return Trip	\$67.05	LLK-Locking Container Set Up	\$107.28	LOC-Lock & Key	\$25.47	XCS-Container Over Weight Charge per 500 lbs	\$43.77	Bulk pick up same as residential
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Temp	
Prepayment	\$325.00
30yd Haul	\$298.17
Rent Per Day	Pro Rated
Rent Per Month	\$175.41
Perm	
10yd Haul	\$298.17
20yd Haul	\$298.17
30yd Haul	\$298.17
40yd Haul	\$298.17
Perm Rent Per Month 10yd	\$109.63
Perm Rent Per Month 20yd	\$124.23
Perm Rent Per Month 30yd	\$138.99
Perm Rent Per Month 40yd	\$153.60
Perm Industrial Rent Per Month 10yd RE (lidded)	\$131.54
Perm Industrial Rent Per Month 20yd RE (lidded)	\$146.14
Perm Industrial Rent Per Month 30yd RE (lidded)	\$160.90
Perm Industrial Rent Per Month 40yd RE (lidded)	\$175.51

Trash Compactors	
30yd Trash Compactor Haul Fee	\$358.11
35yd Trash Compactor Haul Fee	\$358.11
40yd Trash Compactor Haul Fee	\$358.11
Cardboard Compactors	
30yd OCC Compactor Haul Fee	\$187.72
35yd OCC Compactor Haul Fee	\$187.72
40yd OCC Compactor Haul Fee	\$187.72
Disposal *Pass Through Charges	
Trash - Per Ton	\$35.00
Wood - Per Ton	\$52.50
YW - Per Ton	\$52.50
Env Fee - Trash/YW/Wood	\$18.00
Metal	\$0.00
Concrete	\$75.00

Industrial

Security Box	
Rent	\$120.00
Delivery	\$87.00

Compactors						
Size	On Call	1/week	2/week	3/week	4/week	5/week
4yd	\$134.21	\$503.41	\$912.80	\$1,316.39	\$1,740.01	\$2,143.50
6yd	\$180.38	\$652.96	\$1,245.46	\$1,780.44	\$2,315.56	\$2,846.49

Misc	
Lidded Ind. Cont. Add. Rental Fee per Month	\$21.91
Compactor Cleaning	Per Hour
Asbestos Haul	\$401.94
Metro City Metal Haul	\$335.24
WRI Haul	\$549.47
TIR-Tires	\$17.58
BU2-Tires with rim	\$32.19
BU3-Truck Tires	\$39.49
BU4-Truck Tires with rim	\$54.12

RS of Albany

Resi		
All		
Service	Monthly	Bi-Monthly
1 Can	\$29.69	\$59.38
Add can	\$19.45	
20g cart	\$22.25	\$44.50
32g cart	\$23.75	\$47.50
64g cart	NA	
90g cart	\$38.10	\$76.20
On call 35G	\$15.98	
Up-drive	\$20.55	\$41.10
YC Only	\$10.02	\$20.04
CO Only	\$10.02	\$20.04
Extra YC	\$10.02	\$20.04
Extra CO	\$10.02	\$20.04
RC Only	\$10.02	\$20.04
Extra RC	\$10.02	\$20.04
Enclosure	\$27.32	\$54.64
Misc		
Return Trip (In Area-On Service Day)-RTN		\$28.63
EXC-Wash Cart		\$46.16
Residential Container Exchange (1x year @ no charge)		\$46.27
Residential Extra Pick Up - EXR		\$57.84
LLK-Locking Cart Set Up		\$31.34

Temp		
Size	Dump Fee	Max Rent
3yd	\$103.75	\$40.72
Rent- 1st week free		
After One Week	\$4.13	Per Day
Temp Delivery Schd		
FR 1 - LINN CO	T/F	
FR 2/34 - SE/NE ALBANY	M/H	
FR 2/34 - SW/NW ALBANY	T/F	
FR 5 - Lebanon	W/F	
FR 6/7 - Linn Co	T/F	
FR 6 - Harrisburg	W	
FR 9 - Harrisburg	W	
FR 11 - NOT AVAILABLE	NA	
FR 12 - Scio	T	
Size	Dump Fee	Max Rent
300g YW	NA	NA
Must Stay At Curb		
MISC:	XCS-Container Over Weight Charge per 500 lbs	

Industrial	
Prepayment 10-30yd	\$324.71
Prepayment 40yd	\$378.83
10yd Haul	\$288.20
20yd Haul	\$288.20
30yd Haul	\$304.61
40yd Haul	\$319.65
15yd Compactor Haul	\$327.80
20yd Compactor Haul	\$327.80
30yd Compactor Haul	\$372.90
40yd Compactor Haul	\$372.90
Asbestos Haul	\$125.30

Special Pick Ups - IF ALBANY - ServDay (Not Tues)				
IF LEBANON - Wed ONLY				
Special Pick Ups - IF ALBANY - ServDay (Not Tues)				
BU1-Dead Deer				\$131.80
FUR-Furniture				\$39.88
MAT-Mattress or boxspring				\$38.64
TRE-Christmas Trees (up to 8 ft and no tinsel)				\$10.92
Special Pick Ups - Delivery Rt - Serv Day				
APP-Appliance Without Freon				\$38.64
APN-Appliance With Freon				\$49.84
TIR-Tires				\$16.42
BU2-Tires with rim				\$24.55
BU3-Truck Tires				\$35.46
BU4-Truck Tires with rim				\$50.49
Misc				
EXB-Extra 32 gal can/bag/box/heavy				\$10.92
Extra loose garbage per yard-EXY				\$27.32
Time per minute to p/u loose garbage-MIN				\$1.76
LLK-Locking Cart Set Up				\$31.34
Container Repair 3rd Party Labor Rate				\$89.36
Truck Time-HRS				\$136.58
Labor Charges Per Hour				\$105.60

Commercial Stub					
Size	1/week	2/week	3/week	4/week	5/week
1.5 yd	\$153.38	\$283.45	\$413.39	\$543.33	\$673.49
2 yd	\$191.34	\$353.86	\$516.38	\$678.91	\$841.16
3 yd	\$230.56	\$427.91	\$625.13	\$822.36	\$1,019.73
4 yd	\$292.57	\$545.70	\$798.54	\$1,022.23	\$1,304.78
6 yd	\$413.75	\$779.77	\$1,144.78	\$1,511.42	\$1,878.18
8 yd	\$538.69	#####	\$1,508.28	\$1,992.82	\$2,477.76

Commercial Manual						
Size	Bi/Wk	1/week	2/week	3/week	4/week	5/week
1 yd	NA	NA	NA	NA	NA	NA
1.5 yd	NA	\$170.78	\$323.79	\$476.78	\$629.90	\$783.03
2 yd	NA	\$211.29	\$402.48	\$593.55	\$784.66	\$975.61
3 yd	NA	\$262.53	\$499.31	\$744.82	\$975.11	\$1,216.69
4 yd	NA	\$329.30	\$629.14	\$927.25	\$1,196.89	\$1,524.31
5 yd	NA	NA	NA	NA	NA	NA
6 yd	NA	\$468.25	\$900.94	\$1,328.85	\$1,758.78	\$2,188.07
8 yd	NA	\$608.73	\$1,182.14	\$1,749.62	\$2,311.71	\$2,886.50

EP1-Container Off Route Pick Up In area - 30 min	\$68.29	EP2-Container Off Route Pick Up - Out of Area 30 min
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Rent	
Temp Rent Per Day	Prorated Per Day
Temp Industrial Rent Per Month	\$366.67
Perm Industrial Rent Per Month	\$132.43
Perm Industrial Rent Per Month 10yd RE (lidded)	\$154.36
Perm Industrial Rent Per Month 20yd RE (lidded)	\$154.36
Perm Industrial Rent Per Month 30yd RE (lidded)	\$154.36
Perm Industrial Rent Per Month 40yd RE (lidded)	\$161.15
Perm Industrial Rent Per Month 10yd RE (lidded) not crank	\$154.36
Perm Industrial Rent Per Month 20yd RE (lidded) not crank	\$154.36
Perm Industrial Rent Per Month 30yd RE (lidded) not crank	\$154.36
Perm Industrial Rent Per Month 40yd RE (lidded) not crank	\$161.15

Supplemental Service Fees	
Commercial Delivery	\$25.33
Commercial Exchange-EXC	\$50.49
Commercial Dry Run-DRY	\$62.65
Commercial Extra Lift-EXT	See EXT Rates
Commercial Extra Yardage-EXY	\$27.32
Commercial Relocate-REL	\$62.65
Commercial Removal	\$0.00
Industrial Delivery	\$57.41
Industrial Exchange-EXC	\$97.79
Industrial Dry Run-DRY	\$62.22
Industrial Relocate-REL	\$57.41
Industrial Removal	\$62.22
Residential Delivery	\$30.00
Residential Removal (delinquent / per cart)	\$0.00
Fees	
Late Fee	1.5% or 5.00 Min
Returned Check Fee	\$25.00
Service Interrupt Fee	\$30.00
Account Origination Fee	\$10.00
Commercial Container Recovery Fee	\$400.00
Industrial Container Recovery Fee	\$3,000.00
Bin Replacement	\$15.00
32/35g Cart Recovery/Replacement	\$75.00
65G/R/C Cart Recovery/Replacement	\$75.00
90g,Y/c Cart Recovery/Replacement	\$75.00
Monthly Recycle Processing Surcharge	\$2.00
Continuation fee (Recycle and Yard Waste Carts)	\$15.00

	Commercial Compactors					
Size	1/week	2/week	3/week	4/week	5/week	EXT
2 yd	\$422.52	\$804.94	\$1,187.12	\$1,569.31	\$1,951.23	\$114.54
3 yd	\$525.02	\$998.68	\$1,489.66	\$1,950.24	\$2,433.40	\$142.59
4 yd	\$658.59	\$1,258.32	\$1,854.50	\$2,393.80	\$3,048.65	\$179.19
5 yd	NA	NA	NA	NA	NA	NA
6 yd	\$936.54	\$1,801.86	\$2,657.70	\$3,517.52	\$4,376.10	\$257.39
8 yd	\$1,217.44	\$2,364.23	\$3,499.25	\$4,623.47	\$5,773.00	\$333.29

Commercial On Call Containers/EXT Rates		
Size	Dump Fee	Rent
1 yd	NA	NA
1.5 yd	\$47.62	\$34.72
2 yd	\$57.25	\$37.72
3 yd	\$71.29	\$40.72
4 yd	\$89.60	\$43.71
6 yd	\$128.67	\$46.86
8 yd	\$166.66	\$49.88

Commercial Food Waste	
90g Emptied Weekly	\$63.07
Each Additional Cart	\$9.18
Commercial Yard Debris	
90g with Trash	\$0.00
Extra YC	\$10.02
Commercial Comingled Recycle	
Commercial Recycling	#VALUE!

\$68.29	LOC-Lock & Key	\$28.69
	LLK-Locking Container Set Up	\$81.96

Disposal *Pass Through	
Trash - Per Ton	\$35.00
YW/Wood - Per Ton	\$52.50
Enviromental Fee Per Haul	\$18.00
SheetRock Disposal Per Ton	SAME AS TRAS
Metal	None
Concrete	\$75.00

Security Box	
Rent	\$120.00
Delivery Per Hour - One Hour Min	\$75.00

Compactor Cleaning	Per Hour
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RS of Albany

Rate Effective 1/1/23

Resi		
All		
Service	Monthly	Bi-Monthly
1 Can	\$30.88	\$61.76
Add can	\$20.23	
20g cart	\$23.14	\$46.28
32g cart	\$24.70	\$49.40
64g cart	NA	
90g cart	\$39.62	\$79.24
On call 35G	\$16.62	
Up-drive	\$21.37	\$42.74
YC Only	\$10.42	\$20.84
CO Only	\$10.42	\$20.84
Extra YC	\$10.42	\$20.84
Extra CO	\$10.42	\$20.84
RC Only	\$10.42	\$20.84
Extra RC	\$10.42	\$20.84
Enclosure	\$28.41	\$56.82
Misc		
Return Trip (In Area-On Service Day)-RTN		\$29.78
EXC-Wash Cart		\$48.01
Residential Container Exchange (1x year @ no charge)		\$48.12
Residential Extra Pick Up - EXR		\$60.15
LLK-Locking Cart Set Up		\$32.59

Temp		
Size	Dump Fee	Max Rent
3yd	\$107.00	\$42.35
Rent- 1st week free		
After One Week	\$4.30	Per Day
Temp Delivery Sched		
FR 1 - LINN Co		T/F
FR 2/3-4 - SE/NE ALBANY		M/H
FR 2/3-4 - SW/NW ALBANY		T/F
FR 5 - Lebanon		W/F
FR 6/7 - Linn Co		T/F
FR 6 - Harrisburg		W
FR 9 - Harrisburg		W
FR 11 - NOT AVAILABLE		NA
FR 12 - Scio		T
Size	Dump Fee	Max Rent
300g YW	NA	NA
Must Stay At Curb MISC: XCS-Container Over Weight Charge per 500 lbs		

Industrial	
Prepayment 10-30yd	\$350.00
Prepayment 40yd	\$400.00
10yd Haul	\$299.73
20yd Haul	\$299.73
30yd Haul	\$316.79
40yd Haul	\$332.44
15yd Compactor Haul	\$340.91
20yd Compactor Haul	\$340.91
30yd Compactor Haul	\$387.82
40yd Compactor Haul	\$387.82
Asbestos Haul	\$130.31

Special Pick Ups - IF ALBANY - ServDay (Not Tues)						
IF LEBANON - Wed ONLY						
Special Pick Ups - IF ALBANY - ServDay (Not Tues)						
BU1-Dead Deer						
						\$137.07
FUR-Furniture						
						\$41.48
MAT-Mattress or boxspring						
						\$40.19
TRE-Christmas Trees (up to 8 ft and no tinsel)						
						\$11.36
Special Pick Ups - Delivery Rt - Serv Day						
APP-Appliance Without Freon						
						\$40.19
APN-Appliance With Freon						
						\$51.83
TIR-Tires						
						\$17.08
BU2-Tires with rim						
						\$25.53
BU3-Truck Tires						
						\$36.88
BU4-Truck Tires with rim						
						\$52.51
Misc						
EXB-Extra 32 gal can/bag/box/heavy						
						\$11.36
Extra loose garbage per yard-EXY						
						\$28.41
Time per minute to p/u loose garbage-MIN						
						\$1.83
LLK-Locking Cart Set Up						
						\$32.59
Container Repair 3rd Party Labor Rate						
						\$92.93
Truck Time-HRS						
						\$142.04
Labor Charges Per Hour						
						\$109.80

Commercial Stake					
Size	1/week	2/week	3/week	4/week	5/week
1.5 yd	\$159.52	\$294.79	\$429.93	\$565.06	\$700.43
2 yd	\$198.99	\$368.01	\$537.04	\$706.07	\$874.81
3 yd	\$239.78	\$445.03	\$650.14	\$855.25	\$1,060.52
4 yd	\$304.27	\$567.53	\$830.48	\$1,063.12	\$1,356.97
6 yd	\$430.30	\$810.96	\$1,190.57	\$1,571.88	\$1,953.31
8 yd	\$560.24	#####	\$1,568.61	\$2,072.53	\$2,576.87

Commercial Manual						
Size	Bi/Wk	1/week	2/week	3/week	4/week	5/week
1 yd	NA	NA	NA	NA	NA	NA
1.5 yd	NA	\$177.61	\$336.74	\$495.85	\$655.10	\$814.35
2 yd	NA	\$219.74	\$418.58	\$617.29	\$816.05	\$1,014.63
3 yd	NA	\$273.03	\$519.28	\$774.61	\$1,014.11	\$1,265.36
4 yd	NA	\$342.47	\$654.31	\$964.34	\$1,244.77	\$1,585.28
5 yd	NA	NA	NA	NA	NA	NA
6 yd	NA	\$486.98	\$936.98	\$1,382.00	\$1,829.13	\$2,275.59
8 yd	NA	\$633.08	\$1,229.43	\$1,819.60	\$2,408.16	\$3,001.96

EP1-Container Off Route Pick Up In area - 30 min	\$71.02	EP2-Container Off Route Pick Up - Out of Area 30 min
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Rent	
Temp Rent Per Day	Prorated Per Day
Temp Industrial Rent Per Month	\$381.34
Perm Industrial Rent Per Month	\$137.73
Perm Industrial Rent Per Month 10yd RE (lidded)	\$160.53
Perm Industrial Rent Per Month 20yd RE (lidded)	\$160.53
Perm Industrial Rent Per Month 30yd RE (lidded)	\$160.53
Perm Industrial Rent Per Month 40yd RE (lidded)	\$167.60
Perm Industrial Rent Per Month 10yd RE (lidded) not crank	\$160.53
Perm Industrial Rent Per Month 20yd RE (lidded) not crank	\$160.53
Perm Industrial Rent Per Month 30yd RE (lidded) not crank	\$160.53
Perm Industrial Rent Per Month 40yd RE (lidded) not crank	\$167.60

Supplemental Service Fees	
Commercial Delivery	\$25.33
Commercial Exchange-EXC	\$52.51
Commercial Dry Run-DRY	\$65.16
Commercial Extra Lift-EXT	See EXT Rates
Commercial Extra Yardage-EXY	\$28.41
Commercial Relocate-REL	\$65.16
Commercial Removal	\$0.00
Industrial Delivery	\$59.71
Industrial Exchange-EXC	\$101.70
Industrial Dry Run-DRY	\$64.71
Industrial Relocate-REL	\$59.71
Industrial Removal	\$64.71
Residential Delivery	\$30.00
Residential Removal (delinquent / per cart)	\$0.00
Fees	
Late Fee	1.5% or 5.00 Min
Returned Check Fee	\$25.00
Service Interrupt Fee	\$30.00
Account Origination Fee	\$10.00
Commercial Container Recovery Fee	\$400.00
Industrial Container Recovery Fee	\$3,000.00
Bin Replacement	\$15.00
32/35g Cart Recovery/Replacement	\$75.00
65G/RC Cart Recovery/Replacement	\$75.00
90g.Yc Cart Recovery/Replacement	\$75.00
Monthly Recycle Processing Surcharge	\$2.00
Contamination fee (Recycle and Yard Waste Carts)	\$15.00

Commercial Compactors						
Size	1/week	2/week	3/week	4/week	5/week	EXT
2 yd	\$439.42	\$837.14	\$1,234.60	\$1,632.08	\$2,029.28	\$119.12
3 yd	\$546.02	\$1,038.63	\$1,549.18	\$2,028.25	\$2,530.74	\$148.29
4 yd	\$684.93	\$1,308.65	\$1,928.68	\$2,489.55	\$3,170.60	\$186.36
5 yd	NA	NA	NA	NA	NA	NA
6 yd	\$974.00	\$1,873.93	\$2,764.01	\$3,658.22	\$4,551.14	\$267.69
8 yd	\$1,266.14	\$2,458.80	\$3,639.22	\$4,808.41	\$6,003.92	\$346.62

Commercial On Call Containers/EXT Rates		
Size	Dump Fee	Rent
1 yd	NA	NA
1.5 yd	\$49.52	\$36.11
2 yd	\$59.54	\$39.23
3 yd	\$74.14	\$42.35
4 yd	\$93.18	\$45.46
6 yd	\$133.82	\$48.73
8 yd	\$173.33	\$51.88

Commercial Food Waste	
90g Emptied Weekly	\$65.59
Each Additional Cart	\$9.55
Commercial Yard Debris	
90g with Trash	\$0.00
Extra YC	\$10.42
Commercial Comingled Recycle	
Commercial Recycling	#VALUE!

\$71.02	LOC-Lock & Key	\$29.84
	LLK-Locking Container Set Up	\$85.24

Disposal *Pass Through	
Trash - Per Ton	\$35.00
YW/Wood - Per Ton	\$52.50
Enviromental Fee Per Haul	\$18.00
SheetRock Disposal Per Ton	SAME AS TRASH
Metal	None
Concrete	\$75.00

Security Box	
Rent	\$120.00
Delivery Per Hour - One Hour Min	\$75.00

Compactor Cleaning	Per Hour
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BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 11/29/22

View [Agenda Tracker](#)

Suggested Placement * Work Session

Department * Public Works

Contact Name * Jennifer Ficek

Phone Extension * 6009

Meeting Attendee Name * Gary Stockhoff, Lisa Scherf, Brad Dillingham

Agenda Item Details



Item Title * Review and Approve Unanticipated Projects of Regional Significance

Item Involves * Check all that apply

- ☐ Appointments
- ☐ Budget
- ☐ Contract/Agreement
- ☐ Discussion and Action
- ☒ Discussion Only
- ☐ Document Recording
- ☐ Employment
- ☐ Notice of Intent
- ☐ Order/Resolution
- ☐ Ordinance/Public Hearing 1st Reading
- ☐ Ordinance/Public Hearing 2nd Reading
- ☐ Proclamation
- ☐ Project/Committee Update
- ☐ Public Comment
- ☐ Special Report
- ☐ Other

Estimated Time * 10 min

Board/Committee Involvement * ☒ Yes
☐ No

Name of
Board/Committee

STIF Committee

Advertisement*

☐ Yes

☒ No

Issues and Fiscal Impact

Item Issues and Description

**Identified Salient
Issues ***

The STIF committee previously established a standalone project for Unanticipated Projects of Regional Significance when the STIF project list was adopted in 2020. The UPRS budget line anticipated new projects would come forward in the biennium, and this approach would enable the County to appropriate the already budgeted funds. The projects on the attached memorandum were reviewed by the STIF Committee on October 26, 2022, and they recommend the projects be approved.

Options *

1) Review and approve the Unanticipated Projects of Regional Significance as recommended by the STIF Committee.

Fiscal Impact *

- ☐ Yes
☒ No

2040 Thriving Communities Initiative

Mandated Service? * ☐ Yes ☒ No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values *

Select all that apply.

- ☒ Vibrant, Livable Communities
- ☒ Supportive People Resources
- ☐ High Quality Environment and Access
- ☐ Diverse Economy that Fits
- ☐ Community Resilience
- ☒ Equity for Everyone
- ☐ Health in All Actions
- ☐ N/A

Explain Core Values Selections *

The recommended projects all help enhance existing regional transit service.

Focus Areas and Vision *

Select all that apply.

- ☐ Community Safety
- ☐ Emergency Preparedness
- ☐ Outdoor Recreation
- ☐ Prosperous Economy
- ☐ Environment and Natural Resources
- ☒ Mobility and Transportation
- ☐ Housing and Growth
- ☐ Arts, Entertainment, Culture, and History
- ☐ Food and Agriculture
- ☐ Lifelong Learning and Education
- ☐ N/A

Explain Focus Areas and Vision Selection *

The recommended projects all help enhance existing regional transit service.

Recommendations and Motions

Item Recommendations and Motions

Staff
Recommendations * Review and approve the Unanticipated Projects of Regional Significance as recommended by the STIF Committee.

Work Session
Motions * I move to ...
approve the Unanticipated Projects of Regional Significance.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

STIF - UPRS project recommendations 26oct22.pdf 218.07KB

Comments (optional)

If you have any questions, please call ext.6800

**Department
Approver**

GARY STOCKHOFF

Comments

Signature

Gary Stockhoff

BOC Initial Approval

Approvals Required ☒ Counsel
☐ Finance
☐ HR

Counsel Approver VANCE CRONEY

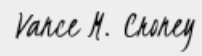
County Administrator Approver
JOE KERBY

Comments

Counsel Approval

Comments

Signature

A handwritten signature in black ink, reading "Vance H. Cheney", is centered within a light gray rectangular box.

Comments

Signature

Chapin Kelly

Comments

Signature

Amarda Hakepeace



***** Memorandum *****

TO: Benton County Statewide Transportation Improvement Fund (STIF) Advisory Committee
FROM: Brad Dillingham, CCTM
Benton County Special and Rural Transportation Coordinator
SUBJECT: STIF Advisory Committee Meeting
DATE: October 19 for meeting on October 26, 2022

The STIF Advisory Committee

The STIF program is a statewide funding program intended to improve public transit and special transportation services across Oregon using a combination of payroll tax and taxes on cigarettes, ID cards, and other State funds. These funds are disbursed and managed through local Qualified Entities (QE), which can be Mass Transit Districts, Transportation Districts, Tribes, or Counties. Benton County is the QE for its geographic area.

The STIF Advisory Committee is a group of individuals appointed by the Benton County Board of Commissioners (BOC) to represent diverse perspectives throughout the County, providing feedback and insight regarding funding decisions pertaining to the Benton County STIF program. The current committee represents the combination of two separate advisory committees into one.

In past funding cycles, the STIF Advisory Committee has convened to provide recommendations to the BOC on how to allocate STIF funding for transit projects serving the County and region. Public Transportation Service Providers (PTSPs) providing service within the Benton County area submit proposed projects for the upcoming biennium to the Committee for review. Following review, discussion, and prioritization, the draft STIF Plan is then forwarded to the BOC for final review and approval. Once approved by the BOC and eventually the Oregon Transportation Commission, the STIF Plan projects are implemented by the QE and its associated PTSPs over the course of the next biennium.

The Special Transportation Advisory Committee (STAC) followed a similar approach for projects being funded by the Special Transportation Fund (STF) program, another state-level funding program that focused specifically on transportation services for seniors and people with disabilities.

At the direction of the Oregon Legislature, the STIF and the STF funding programs have been consolidated at the State level and funding from what is now just called the "Statewide Transportation Improvement Fund (STIF)," will be provided to Benton County beginning in the next biennium (FY23-25), which starts on July 1st, 2023. The STIF and Special Transportation Advisory Committees were similarly consolidated into one committee (the STIF Advisory Committee) to advise the Board of Commissioners on the newly combined funding source.

For the upcoming funding cycle, STIF program funds will be managed according to Articles 14 and 15 of STIF Advisory Committee bylaws (Attachment A). “Population-based” funds refer to what were formally known as STF funds because of the population-based formula used to distribute them statewide, and the “Payroll-based” funds refer to the STIF funds, which are derived from a statewide employee payroll tax. The “Population-based” portion of the STIF program is still intended for seniors and people with disabilities and the “Payroll-based” funds are intended for general public transit projects. As the primary transportation provider for seniors and people with disabilities in Benton County, Benton County and its staff will assess whether “Population-based” funds can be made available for other providers in the area based on funding needs for the County’s special transportation program. All approved population-based projects will be included in the plan under one STIF project with Benton County as the recipient.

Statewide Transportation Improvement Fund (STIF) Formula Process

STIF Formula funds may be used on projects that include service operations, administrative costs, capital expenses and equipment purchases, preventative maintenance, and planning projects for public transportation. For the upcoming FY 23-25 STIF biennium, STIF plans are due to the Oregon Department of Transportation (ODOT) on January 16th, 2023.

There is an estimated \$4,800,576 available to Benton County’s STIF Plan for the FY23-25 biennium. Of this total, \$496,474 is part of the population-based money and \$4,304,102 is part of the payroll-based portion. See Attachment B for more detail on the biennial estimates. In addition to the projected new funds coming in, Benton County has \$1,049,838 in carryover funds available in the Unanticipated Projects of Regional Significance (UPRS) from the current STIF plan. Finally, all funding from unfinished FY21-23 STIF projects, including several that weren’t started due to factors related to the pandemic, will also be carried over to the FY23-25 biennium. Staff estimates that Benton County will have approximately \$5.5 to \$6 million available in the FY 23-25 biennium.

In the FY21-23 biennium, the STIF Advisory Committee utilized the UPRS project as a way for PTSPs to fund projects throughout the biennium and provide flexibility for service providers who are met with obstacles or opportunities. This proved to be a good tool, allowing funding for several projects that otherwise would have been postponed. Due to the sharp rise in the cost of goods and services, ODOT staff has recommended that QEs increase their estimates on all projects by approximately 20%. It will be important to account for ongoing operations projects previously funded with Benton County’s STIF Formula funds, to ensure stability to area transportation services. Conversely, when new operations projects are proposed, the Committee should consider the likelihood of Benton County’s ability to maintain that funding into the future when reviewing them. Staff will provide a spreadsheet summarizing existing and proposed operations projects to assist with the Committee’s review.

Statewide Transportation Improvement Fund (STIF) Discretionary Projects

According to estimates provided by ODOT in early September 2022, the STIF Discretionary Fund and the Statewide Transit Network Program have \$13.5 million and \$15 million available, respectively, for the upcoming FY23-25 cycle. All Oregon PTSPs can access these funds for appropriate projects, pending a Letter of Interest (LOI), which was due October 10th, and an application due November 30th. Applications for vehicle purchases do not require a LOI. Match is required for these projects and can be provided by STIF Formula funds. Match is typically 20%, though that may be reduced to 10% for projects that: 1) predominantly serve

rural communities; 2) are outside the PTSPs jurisdiction; 3) fill a significant gap in the Statewide Transit Network; or 4) provide Statewide benefits to multiple PTSPs. In early 2023, all applications will be reviewed by the ODOT selection committee, Public Transit Advisory Committee, and the Oregon Transportation Commission, with notice of awards issued for approved projects in April/May of 2023.

At the time of this report, discretionary projects being proposed by PTSPs within the Benton County service area are as follows. Associated match for these will be proposed Formula projects and a more complete description will be presented to the Committee at a future meeting.

- Benton Area Transit:
 - Fleet Security Fencing – \$125,000
 - Bus Stop Improvements – \$50,000
 - 99W Pilot Operations – \$225,000
 - Vehicle Replacements – \$850,000
- Oregon Cascades West Council of Governments:
 - OSU/LBCC Mobility Hub Design and Construction – \$3 Million

Unanticipated Projects of Regional Significance (UPRS)

The UPRS is included as the last project in the Benton County STIF Plan and currently contains \$1,049,838 in unallocated funds intended for opportunities and project shortfalls faced by Public Transportation Service Providers (PTSPs) as they arise over the current STIF cycle. Importantly, projects funded by the UPRS that require ongoing STIF funding should be carefully considered to assure financial sustainability of both that project and others funded in the Benton County STIF Plan. Capital projects, covering a small shortfall in an already-approved project, or helping PTSPs deal with short-term financial obstacles don't create the same potential issues with ongoing funding.

Projects proposed by PTSPs for UPRS funding must be approved by the STIF Advisory Committee. Below is a list of proposed projects at this time:

1. Corvallis/Philomath – Garage Upgrades – \$35,000
This project includes energy efficiency improvements to the garage facility that serves Corvallis Transit System and Philomath Connection, including the installation of a curtain to divide the space, a large fan to bring heat down from the ceiling and a programmable thermostat to reduce heat waste at night. *This is **not** an ongoing project.*
2. Benton Area Transit – Fare Moratorium Pilot – \$15,000
Benton Area Transit (BAT) is proposing to remove the required fare for eligible passengers utilizing its BAT Lift service. BAT Lift is a curb-to-curb transportation service provided to seniors (65+) and people with disabilities throughout the geographic area of Benton County. The current fare structure has not been adjusted in over a decade and the billing procedure used to acquire and process fares from passengers negates the revenue gained from fares. BAT currently receives approximately \$20,000 per year in fare revenue. This project would pay for the lost fares through the remainder of the biennium (June 30, 2023), allowing staff to analyze its effectiveness. *This is a potential ongoing project if renewed using STIF formula funds.*

3. Oregon Cascades West Council of Governments – Mobility Hub Additional Match – \$69,000

OCWCOG has experienced a cost overrun for the current Mobility Hub design grant, to which Benton County has previously committed \$25,000 in local match. OCWCOG is requesting an additional \$69,000 from Benton County to help cover the project cost increase and bring the project to 60% design. A memo outlining the request is attached (Attachment C). *This is **not** an ongoing project.*

ACTION REQUESTED

1. Review and either recommend approval, denial, or recommended changes to the proposed UPRS Projects.

Attachments: A – Benton County STIF Committee Bylaws
 B – Published STIF Formula Estimates for FY23-25
 C – Oregon Cascades West Council of Governments Mobility Hub Funding Request Memo