

**Board of Commissioners**

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AGENDA

(Chair May Alter the Agenda)

BENTON COUNTY BOARD OF COMMISSIONERS

Tuesday, October 4, 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: 811 9255 7649		
	Zoom Passcode: 381414		

1. Opening

- 1.1 Call to Order
- 1.2 Introductions
- 1.3 Announcements

2. 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.

3. Review and Approve Agenda

4. Work Session

- 4.1 15 minutes – COVID Update from Department Operation Center – *Suzanne Hoffman, April Holland; Health Services*
- 4.2 15 minutes – Update from Benton County Talks Trash Solid Waste Process Workgroup – *Darren Nichols, Community Development*
- 4.3 30 minutes – Discuss Supplemental Budget 23041 – *Jenn Ambuehl, Financial Services*
- 4.4 30 minutes – Discussion of County Code Chapter 40 Amendment and Rural Community Engagement Regarding House Bill 4123 – *Rebecca Taylor; Home Opportunity Planning Equity (HOPE) Project Manager*

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

BUSINESS MEETING

5. 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

6. Proclamations

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

Public Hearings

(Hearings are heard at 11:00 a.m., time certain or as soon thereafter as the matter may be heard)

Those wishing to speak should sign the "Public Comment" sign-in sheet – Thank you.

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, FEI*

8. Old Business

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

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."

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

The Board will discuss negotiations for property transactions.

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

Zoom link: <https://us06web.zoom.us/j/81192557649?pwd=Qkw3eHNhVzlBRUt2OTBnNjZqem45dz09>

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.

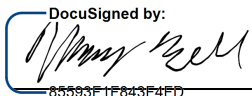
{Exhibit 2: Wyse Discussion Notes for Item 8.1}

IX. Other

No other business was discussed.

IX. Adjournment

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

DocuSigned by:

 85593F1F843F4FD...
 Nancy Wyse, Chair

DocuSigned by:

 736EA4FEB0B0496...
 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 10/04/22 and 10/18/22

View [Agenda Tracker](#)

Suggested Placement * Work Session and Meeting

Department * Finance

Contact Name * Jenn Ambuehl

Phone Extension * 6257

Meeting Attendee Name * Jenn Ambuehl and Rick Crager

Agenda Item Details



Item Title * Supplemental Budget 23041

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 * 30

Board/Committee Involvement *

☐ Yes

☒ No

Advertisement*

☒ Yes

☐ No

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Names/Dates of Publications

List each publication name and date

Intend to publish notice of public hearing no less than 5 days prior to meeting in Gazette Times.

Item Issues and Description

Identified Salient

Issues

Nine funds require amendment of the budget in the 2021-23 biennium.

Please see attached packet for list of actions.

Options

1. Approve as proposed

2. Modify and approve

3. Hold for further discussion

4. Do not approve

Fiscal Impact

☒ Yes

☐ No

Fiscal Impact
Description

The total of the actions increase appropriation by \$34,673,755.

Please see attached packet for fiscal impact on each fund.

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](#).

Mandated Service Description *

If this agenda checklist describes a mandated service or other function, please describe here.

ORS 294.100: It is unlawful for any public official to spend money in excess of the amounts provided by law, or for any different purpose.

ORS 294.338: It is unlawful to expend money unless authorized by Local Budget Law.

ORS 294.456(6): After the governing body has enacted the resolutions necessary to adopt the budget as required, an expenditure of public money may not be made for any purpose in an amount greater than the amount appropriated, except as provided in ORS 294.338 [exceptions to the budget process], 294.478 [emergency educational expenditures], 294.463 [appropriation transfers], 294.471and 294.473 [supplemental budgets].

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

NA

Explain Core Values Selections *

NA

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

NA

Explain Focus Areas N/A
and Vision
Selection*

Item Recommendations and Motions

Staff Recommendations * Financial Services staff recommends approval of Supplemental Budget 23041 as presented.

Work Session Motions * For the October 4, 2022 Work Session Agenda:

I move to forward this item to the October 18, 2022 Board meeting for a public hearing.

Meeting Motions * For the October 18, 2022 Business Meeting:

I move to adopt the resolution in the matter of Supplemental Budget 23041

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.

Supplemental Budget Packet 23041.pdf 521.95KB

Resolution Supplemental Budget - 23041.docx 20.26KB

Comments (optional) 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** MAURA KWIATKOWSKY

Counsel Approval

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Comments

Signature

Vance H. Chokey

Comments

Signature

Hanna Kwiatkowski

Comments

Signature



Amanda Makepeace

General Fund:

- **General Government Operations** – increase \$1,709,335
 - Funding Source:
 - Operating Contingency for JSIP
 - State of Oregon Election Modernization Grant
 - Reserves for future
 - State: Oregon Courthouse Capital Construction & Improvement Fund
 - Increase appropriations for:
 - JSIP additional staff costs & contracted services
 - Equipment purchase of envelope scanner & opener
 - JSIP land purchase
 - Decrease appropriations to:
 - Establish Transfer authority to reallocate funds to Fund 514 for Phase 2 of the Kalapuya building remodel
- **Health Operations** – increase \$2,069,461
 - Funding Source :
 - HB 4123 Coordinated Homeless Response System funds
 - OHA Mental Health Community Restoration Grant
 - Measure 108 OHA TPEP funds
 - OHA ADPEP funds
 - Measure 110 BH Resource Network funds
 - Opioid Settlement funds
 - Increase appropriations for:
 - Staffing costs, supplies & contracted services for HOPE
 - Staffing costs, contracted services & equipment purchase for Behavioral Health
 - Staffing costs, various supply and services for Health promotion
- **Justice Services Operations** – increase \$30,814
 - Funding Source:
 - Additional grant funds for VOCA
 - Increase appropriations for:
 - Staffing costs & Supply purchases
- **Transfers** – increase \$513,000
 - Funding Source:
 - Contingency
 - COVID lost wage reimbursements
 - Increase appropriations for:
 - Transfer to Building Development Reserve Fund for EOC match
 - Transfer to Fund 514 for Phase 2 of Kalapuya remodel

- **Reserves for Future** – decrease \$1,227,700
 - Decrease appropriations for:
 - Planned purchase of JSIP land
- **Contingency** – decrease \$271,033
 - Increase appropriations for:
 - Reimbursement of cost for County Courthouse expenditures
 - Decrease appropriations for:
 - EOC matching funds
 - Additional JSIP costs

General Fund Summary

Operations – \$1,314,443
Reserves for Future – (\$1,227,700)
Transfers – \$513,000
Contingency – (\$271,033)

Fair Fund:

- **Cultural & Educational Operations** – increase \$620,777
 - Funding Source:
 - Transfer from ARPA for lost revenue due to pandemic
 - Oregon Fair Association additional state funds
 - Private donation & Insurance claim recovery funds
 - Increase appropriations for:
 - Other operating expenses to offset lost revenue funds
 - Capital project requirement for OFA funds
 - Repairs for long table and shelter damaged by tree

Fair Fund Summary

Operations – \$620,777

American Rescue Plan Fund:

- **General Government Operations** – increase \$9,545,002
 - Funding Source:
 - Donation for BCWS Evacuation routes
 - Dept. of Administrative Services funds for Crisis Center
 - State American Rescue plan funds
 - Decrease appropriations for:
 - Capital Outlay for Crisis Center to offset the reallocation of an internal transfer no longer necessary
 - Increase appropriations for:
 - BCWS Evacuation routes to establish expenditure authority to offset additional revenue received
 - Establish expenditure authority for full amount of Crisis Center funding
 - Additional nonprofit grants & capital expenditures part of ARPA plan
 - JSIP land purchase
- **Transfers** – decrease \$529,935
 - Decrease appropriations for:
 - Internal fund transfer no longer needed for Crisis Center
 - Increase appropriations for:
 - Transfer to Fair fund to compensate for lost revenue during pandemic
 - Transfer to Fund 514 for Phase 2 of Kalapuya remodel
 - Transfer to Fund 520 for Fleet Services “bridge” funding
- **Contingency** – decrease \$4,250,000
 - JSIP land purchase

ARP Fund Summary**Operations – \$9,545,002****Transfers – (\$529,935)****Contingency – (\$4,250,000)****Local Option Levy Fund:**

- **General Government Operations** – increase \$2,500
 - Funding Source
 - Interest on delinquent taxes
 - Increase appropriations for:
 - Refund Interest charges

Local Option Fund Summary**Operations – \$2,500**

Building Development Reserve Fund:

- **Capital Improvement Operations** – increase \$23,016,462
 - Funding Source:
 - State: Oregon Courthouse Capital Construction & Improvement Fund
 - Local financing (for match)
 - Dept. Health & Human Services EOC grant program
 - Transfer from General Fund (Contingency)
 - Increase appropriations for:
 - County Courthouse project
 - Emergency Operation Center project

Building Development Reserve Fund Summary**Operations – \$23,016,462****IntraGovernmental Services Fund:**

- **General Government Operations** – increase \$832,000
 - Funding Source:
 - Transfer revenue from General Fund
 - Transfer revenue from American Rescue Plan Fund
 - Additional rebates & incentives revenue from energy efficient projects
 - Larger than anticipated beginning balance
 - Increase appropriations for:
 - Capital Outlay for Phase 2 of Kalapuya building remodel
 - Facilities Capital maintenance projects
 - Unreimbursed costs related to pandemic

IntraGovernmental Services Fund Summary**Operations – \$832,000**

Enterprise Operations Fund:

- **General Government Operations** – increase \$3,965,065
 - Funding Source:
 - Other government payments for equipment purchases larger than anticipated
 - Transfer from ARPA for “bridge” funding
 - Increase appropriations for:
 - purchasing equipment for other governments
 - Other operating expense as a placeholder for the “bridge” funding
- **Natural Areas, Parks & Events Operations** – increase \$45,000
 - Funding Source:
 - Camping Fees larger than anticipated
 - Use of Contingency
 - Increase appropriations for:
 - Research & repair of well at Salmonberry Campground
 - Repairs to the plumbing system at Adair Clubhouse
- **Contingency** – decrease \$15,000

Enterprise Operations Fund Summary

Operations – \$4,010,065

Contingency – (\$15,000)

Benton Health Center Fund:

- **Health Operations** – increase \$1,038,174
 - Funding source:
 - HB 4004 Behavioral Health Workforce Stability Grant
 - Oregon Community Foundation Grant (Dental)
 - Increase appropriations for:
 - Staff compensation/benefits, workforce retention & recruitment
 - Small Equipment purchase

Benton Health Center Fund Summary

Operations – \$1,038,174

Trust Fund:

- **Natural Areas, Parks & Events Operations** – increase \$75,000
 - Funding source: Logging revenue Beazell Memorial Forest
 - Increase appropriations for:
 - Repair of roads damaged by logging

Trust Fund Summary

Operations – \$75,000

001 General Fund				
Division	Account Code	Adopted Budget	Supplemental	Revised Budget
01 - Board of Commissioners				
Administrative Specialist	001-01-10-131-513000-	-	80,000	80,000
Temporary & Interns	001-01-10-131-590000-	-	25,000	25,000
Personal Services Category Totals		-	105,000	105,000
Contracted Services	001-01-10-131-606000-	475,000	532,700	1,007,700
Materials & Services Category Totals		475,000	532,700	1,007,700
Requirement Totals		475,000	637,700	1,112,700
Total Division 01 Requirements		5,487,076	637,700	6,124,776
<u>Comments:</u> Increase appropriation authority for additional staffing costs and necessary contracted services.				

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
08 - District Attorney				
State: Crim Fine & Asmt (CFA)	001-08-30-702-474218-	150,000	30,814	180,814
Operating Grants/Contributions Category Totals		150,000	30,814	180,814
Resource Totals		150,000	30,814	180,814
Program Specialist 2	001-08-30-702-526000-	209,630	(8,932)	200,698
Director 1	001-08-30-702-570000-	-	18,532	18,532
Personal Services Category Totals		209,630	9,600	219,230
Materials & Supplies	001-08-30-702-601000-	8,500	21,214	29,714
Materials & Services Category Totals		8,500	21,214	29,714
Requirement Totals		218,130	30,814	248,944
Total Division 08 Resources		1,380,767	30,814	1,411,581
Total Division 08 Requirements		7,892,630	30,814	7,923,444
<u>Comments:</u> Increasing appropriation authority in Victim of Crime Act services as result of larger than anticipated award. Expenditures revised to align with revised budget submitted to granting agency.				

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
22 - Elections				
State: Secretary of State Elections	001-22-10-171-474205-	-	23,935	23,935
Operating Grants/Contributions Category Totals		-	23,935	23,935
Resource Totals		-	23,935	23,935
Equipment Purchase	001-22-10-171-780300	-	23,935	23,935
Capital Outlay Expense Category Totals		-	23,935	23,935
Requirement Totals		-	23,935	23,935
Total Division 22 Resources		390,000	23,935	413,935
Total Division 22 Requirements		1,560,723	23,935	1,584,658
<u>Comments:</u> Increasing appropriation authority for purchase of envelope scanner & opener per grant award.				

001 General Fund				
Division	Account Code	Adopted Budget	Supplemental	Revised Budget
32 - Public Health Services				
State: Miscellaneous	001-32-25-270-474000-	-	1,000,000	1,000,000
Operating Grants/Contributions Category Totals		-	1,000,000	1,000,000
Resource Totals		-	1,000,000	1,000,000
Salary & Wages	001-32-25-270-589000-	-	250,000	250,000
Personal Services Category Totals		-	250,000	250,000
Materials & Supplies	001-32-25-270-601000-	1,200	250,000	251,200
Contracted Services	001-32-25-270-606000-	6,000	500,000	506,000
Materials & Services Category Totals		7,200	750,000	757,200
Requirement Totals		7,200	1,000,000	1,007,200
Total Division 32 Resources		7,109,569	1,000,000	8,109,569
Total Division 32 Requirements		9,538,552	1,000,000	10,538,552
<u>Comments:</u> Increasing appropriation authority for staffing costs, supplies and contracts for Coordinated Homeless Response.				

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
34 - Behavioral Health Services				
State: Misc. Grants/Support	001-34-25-540-472000-	1,210,496	473,508	1,684,004
Operating Grants/Contributions Category Totals		1,210,496	473,508	1,684,004
Resource Totals		1,210,496	473,508	1,684,004
Salary & Wages	001-34-25-540-589000-	-	284,431	284,431
Employee Benefits	001-34-25-540-599000-	1,001,117	113,427	1,114,544
Personal Services Category Totals		1,001,117	397,858	1,398,975
Contracted Services	001-34-25-540-606000-	714,936	30,650	745,586
Materials & Services Category Totals		714,936	30,650	745,586
Equipment Purchase	001-34-25-540-780300-	-	45,000	45,000
Capital Outlay Category Totals		-	45,000	45,000
Requirement Totals		1,716,053	473,508	2,189,561
Total Division 34 Resources		7,762,084	473,508	8,235,592
Total Division 34 Requirements		6,819,983	473,508	7,293,491
<u>Comments:</u> Increasing appropriation authority for staffing costs, contracted services & equipment purchase per award agreement.				

001 General Fund				
Division	Account Code	Adopted Budget	Supplemental	Revised Budget
37 - Healthy Communities				
State: Misc. Grants/Support	001-37-25-520-472000-	430,916	250,756	681,672
State: Miscellaneous	001-37-25-521-474000-	-	82,475	82,475
OHA PE 13-01	001-37-25-520-472701-	-	208,114	208,114
OHA PE 36	001-37-25-520-472702-	-	54,608	54,608
Operating Grants/Contributions Category Totals		430,916	595,953	1,026,869
Resource Totals		430,916	595,953	1,026,869
Salary & Wages	001-37-25-520-589000-	-	198,978	198,978
Employee Benefits	001-37-25-520-599000-	803,933	45,000	848,933
Personal Services Category Totals		803,933	243,978	1,047,911
Materials & Supplies	001-37-25-520-601000-	50,000	9,075	59,075
Materials & Supplies	001-37-25-521-601000-	-	82,475	82,475
Medical Supplies	001-37-25-520-601300-	34,000	50,000	84,000
Communication Services	001-37-25-520-602000-	480	7,000	7,480
Mileage Reimbursement	001-37-25-520-604200-	-	720	720
Contracted Services	001-37-25-520-606000-	4,000	123,722	127,722
Training & Education	001-37-25-520-608000-	20,000	3,186	23,186
Printing & Publication	001-37-25-520-614000-	3,000	1,200	4,200
Other Operating Expense	001-37-25-520-632000-	120,000	70,177	190,177
IT Device Main/Replmt Charge	001-37-25-520-681017-	20,640	3,700	24,340
Wireless	001-37-25-520-681020-	-	720	720
Materials & Services Category Totals		252,120	351,975	604,095
Requirement Totals		1,056,053	595,953	1,652,006
Total Division 37 Resources		1,622,822	595,953	2,218,775
Total Division 37 Requirements		3,021,677	595,953	3,617,630
<u>Comments:</u>				
Increasing appropriation authority for staffing costs and various materials & services needs per public health's request.				

001 General Fund				
Division	Account Code	Adopted Budget	Supplemental	Revised Budget
60 - Non Departmental				
Federal: Capital Grant	001-60-10-100-482400-	-	700,000	700,000
Operating Grants/Contributions Category Totals		-	700,000	700,000
Resource Totals		-	700,000	700,000
Materials & Supplies	001-60-10-102-601000-	75,762	(35,000)	40,762
Materials & Supplies	001-60-10-103-601000-	4,076,619	(145,000)	3,931,619
Materials & Services Category Totals		4,152,381	(180,000)	3,972,381
Transfer to Fund 303	001-60-10-100-816064-	-	333,333	333,333
Transfer to Fund 514	001-60-10-102-816125-	875,000	35,000	910,000
Transfer to Fund 514	001-60-10-103-816125-	250,000	145,000	395,000
Transfer Expense Category Totals		1,125,000	513,333	1,638,333
Land & Right of way	001-60-10-100-784000-	-	1,227,700	1,227,700
Capital Outlay Expense Category Totals		-	1,227,700	1,227,700
Designated Reserves	001-60-10-100-903000-	4,471,083	(1,227,700)	3,243,383
Reserve for Future Category Totals		4,471,083	(1,227,700)	3,243,383
Contingency	001-60-10-100-955000-	4,000,000	(271,033)	3,728,967
Contingency Category Totals		4,000,000	(271,033)	3,728,967
Requirement Totals		9,277,381	62,300	9,339,681
Total Division 60 Resources		86,316,786	700,000	87,016,786
Total Division 60 Requirements		30,260,610	62,300	30,322,910
Comments:				
All of these changes in conjunction with the increase in JSIP net out to an appropriation increase of \$700,000. Due to the difference in location of the expenditures the output under requirements can come across as misleading.				

106 Fair Fund				
Division	Account Code	Adopted Budget	Supplemental	Revised Budget
50 - Natural Areas, Parks & Events				
Private Donations & Grants	106-50-40-750-457000-	8,000	8,000	16,000
Insurance Claim Recovery	106-50-40-750-458000-	-	37,000	37,000
General Revenue Category Totals		8,000	45,000	53,000
State: County Fair Support	106-50-40-752-474100-	-	277,777	277,777
Operating Grants/Contributions Category Totals		-	277,777	277,777
Transfer from Fund 107	106-50-40-750-403014-	-	298,000	298,000
Transfer Revenue Category Totals		-	298,000	298,000
Resource Totals		8,000	620,777	628,777
Repairs & Maintenance	106-50-40-750-609000-	130,000	45,000	175,000
Other Operating Expense	106-50-40-750-632000-	-	298,000	298,000
Materials & Services Category Totals		130,000	343,000	473,000
General Capital Outlays	106-50-40-752-780000-	400,000	277,777	677,777
Capital Outlay Category Totals		400,000	277,777	677,777
Requirement Totals		530,000	620,777	1,150,777
Total Division 50 Resources		2,721,821	620,777	3,342,598
Total Division 50 Requirements		2,721,821	620,777	3,342,598
<u>Comments:</u>				
Increase appropriations for repair to long table and shelter damaged by tree, capital project as required by OFA funds. Other operating expense used to increase overall appropriation authority to cover lost revenues due to pandemic.				

107 American Rescue Plan Fund				
Division	Account Code	Adopted Budget	Supplemental	Revised Budget
60 - Non Departmental				
Private Donation & Grants	107-60-10-110-457000-	-	100,000	100,000
General Revenues Category Totals		-	100,000	100,000
State: Miscellaneous	107-60-10-113-474000-	-	5,450,002	5,450,002
State: American Rescue Plan	107-60-10-113-474101-	2,000,000	250,000	2,250,000
Operating Grants/Contributions Category Totals		2,000,000	5,700,002	7,700,002
Intrafund Transfer	107-60-10-113-404001-	1,500,000	(1,500,000)	-
Transfer Revenue Category Totals		1,500,000	(1,500,000)	-
Resource Totals		3,500,000	4,300,002	7,800,002
Non-Profit: Grants & Contracts	107-60-10-104-691000-	-	200,000	200,000
Materials & Services Category Totals		-	200,000	200,000
General Capital Outlays	107-60-10-104-780000-	5,000,000	329,935	5,329,935
Land & Right of Way	107-60-10-104-784000-	-	4,250,000	4,250,000
General Capital Outlays	107-60-10-110-780000-	350,000	100,000	450,000
Bldg. & Bldg. Improvements	107-60-10-113-780400-	3,500,000	4,200,002	7,700,002
Capital Outlay Category Totals		8,850,000	8,879,937	17,729,937
Transfer to Fund 106	107-60-10-104-816026-	-	298,000	298,000
Transfer to Fund 514	107-60-10-104-816125-	1,280,000	207,000	1,487,000
Transfer to Fund 520	107-60-10-104-816150-	-	465,065	465,065
Intrafund Transfer	107-60-10-104-817001-	1,500,000	(1,500,000)	-
Transfer Expense Category Totals		2,780,000	(529,935)	2,250,065
Contingency		8,147,056	(4,250,000)	3,897,056
Contingency Category Totals		8,147,056	(4,250,000)	3,897,056
Requirement Totals		19,777,056	4,300,002	24,077,058
Total Division 60 Resources		22,797,056	4,300,002	27,097,058
Total Division 60 Requirements		22,797,056	4,300,002	27,097,058

Comments:

Establish appropriation authority for full amount of Crisis Center. Additional authority for JSIP land purchase and nonprofit grants per ARPA plan. Increase appropriation authority for BCWS Evacuation routes based on donation received. Reallocate Internal Transfer to other transfer accounts for Kalapuya remodel, lost fair revenue and "bridge" funding for Fleet Services.

108 Local Option Levy Fund

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
60 - Non Departmental				
Interest on Delinquent Taxes	108-60-10-100-411001-	-	2,500	2,500
General Revenues Category Totals		-	2,500	2,500
Resource Totals		-	2,500	2,500
Refunds	108-60-10-100-637000-	-	2,500	2,500
Transfer Expense Category Totals		-	2,500	2,500
Requirement Totals		-	2,500	2,500
Total Division 60 Resources		21,179,579	2,500	21,182,079
Total Division 60 Requirements		21,179,579	2,500	21,182,079

Comments:

Establish appropriation authority for refund interest charges

303 Building Development Reserve

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
60 - Non Departmental				
State: Courthouse Capital Fund	303-60-65-880-474140-	-	20,383,129	20,383,129
Federal: Capital Grant	303-60-65-881-482400-	-	1,000,000	1,000,000
Capital Grants/Contributions Category Totals		-	21,383,129	21,383,129
External Financing	303-60-65-880-456005-	-	1,300,000	1,300,000
Loan Proceeds Category Totals		-	1,300,000	1,300,000
Transfer from General Fund	303-60-65-881-403010-	-	333,333	333,333
Transfer Revenue Category Totals		-	333,333	333,333
Resource Totals		-	23,016,462	23,016,462
Bldg & Bldg Improvements	303-60-65-880-780400-	-	21,683,129	21,683,129
Bldg & Bldg Improvements	303-60-65-881-780400-	-	1,333,333	1,333,333
Capital Outlay Category Totals		-	23,016,462	23,016,462
Requirement Totals		-	23,016,462	23,016,462
Total Division 60 Resources		-	23,016,462	23,016,462
Total Division 60 Requirements		-	23,016,462	23,016,462

Comments:

Establish appropriation authority for County Courthouse and Emergency Operations Center

514 Intragovernmental Services Fund

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
46 - Facilities				
Subsidies & Reimbursements	514-46-10-244-455000-	-	54,000	54,000
General Revenue Category Totals		-	54,000	54,000
Service Fees & Charges	514-46-10-240-431000-	-	250,000	250,000
Charges for Service Category Totals		-	250,000	250,000
Misc Rev: Grants/Contributions	514-46-10-244-450200-	-	141,000	141,000
Operating Grants/Contributions Category Totals		-	141,000	141,000
Transfer from Fund 001	514-46-10-246-403010-	2,201,001	180,000	2,381,001
Transfer from Fund 107	514-46-10-246-403014-	1,280,000	207,000	1,487,000
Transfer Revenue Category Totals		3,481,001	387,000	3,868,001
Resource Totals		3,481,001	832,000	4,313,001
Contracted Services	514-46-10-240-606000-	152,300	250,000	402,300
Materials & Services Category Totals		152,300	250,000	402,300
General Capital Outlays	514-46-10-244-780000-	-	195,000	195,000
Bldg & Bldg Improvements	514-46-10-246-780400-	6,048,928	387,000	6,435,928
Capital Outlay Category Totals		6,048,928	582,000	6,630,928
Requirement Totals		6,048,928	832,000	6,630,928
Total Division 46 Resources		15,237,530	832,000	16,069,530
Total Division 46 Requirements		15,237,530	832,000	16,069,530
<u>Comments:</u>				
Increase appropriation authority for Kalapuya remodel, facilities capital projects and increased costs due to pandemic				

520 Enterprise Operations Fund

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
50 - Natural Areas & Parks				
Camping Fee	520-50-50-814-438100	55,000	30,000	85,000
Charges for Service Category Totals		55,000	30,000	85,000
Resources Totals		55,000	30,000	85,000
Contracted Services	520-50-50-814-606000	4,000	30,000	34,000
Contracted Services	520-50-50-818-606000	10,000	15,000	25,000
Materials & Services Category Totals		14,000	45,000	59,000
Contingency	520-50-50-818-955000	147,787	(15,000)	132,787
Contingency Category Totals		147,787	(15,000)	132,787
Requirement Totals		161,787	30,000	191,787
Total Division 50 Resources		1,015,031	30,000	1,045,031
Total Division 50 Requirements		1,015,031	30,000	1,045,031
<u>Comments:</u>				
Establish appropriation authority for research and repair of well at Salmonberry Campground, and for plumbing repairs at Adair Clubhouse.				

520 Enterprise Operations Fund				
Division	Account Code	Adopted Budget	Supplemental	Revised Budget
45 - Fleet Services				
Other Govt Pymts-Services	520-45-10-250-461301-	523,320	3,500,000	4,023,320
Charges for Service Category Totals		523,320	3,500,000	4,023,320
Transfer from Fund 107	520-45-10-250-403014-	-	465,065	465,065
Transfer Revenue Category Totals		-	465,065	465,065
Resources Totals		523,320	3,965,065	4,488,385
Other Operating Expense	520-45-10-250-632000-	-	465,065	465,065
Materials & Services Category Totals		-	465,065	465,065
Equipment for Other Govts	520-45-10-250-782100	500,000	3,500,000	4,000,000
Capital Outlay Category Totals		500,000	3,500,000	4,000,000
Requirement Totals		500,000	3,965,065	4,465,065
Total Division 45 Resources		3,565,948	3,965,065	7,531,013
Total Division 45 Requirements		3,565,948	3,965,065	7,531,013
<u>Comments:</u>				
Increase appropriation authority to cover cost of purchasing equipment for other governments and other operating expense is place holder for "bridge" funding from ARPA lost revenue funds.				

521 Benton Health Center Fund				
Division	Account Code	Adopted Budget	Supplemental	Revised Budget
95 - Dental				
Misc. Rev: Grnts/Contributions	521-95-25-601-450200-	-	40,000	40,000
Operating Grants/Contributions Category Totals		-	40,000	40,000
Resource Totals		-	40,000	40,000
Health Care Technician 4	521-95-25-601-537000-	72,969	13,000	85,969
Employee Benefits	521-95-25-601-599000-	60,446	7,800	68,246
Personnel Services Category Totals		133,415	20,800	154,215
Small Equipment Purchase	521-95-25-601-601500	-	40,000	40,000
Materials & Services Category Totals		-	40,000	40,000
Requirement Totals		133,415	60,800	194,215
Total Division 95 Resources		2,737,602	40,000	2,777,602
Total Division 95 Requirements		3,574,205	60,800	3,635,005
<u>Comments:</u>				
Increase appropriation for staff costs and small equipment purchase				

521 Benton Health Center Fund				
Division	Account Code	Adopted Budget	Supplemental	Revised Budget
34 - Behavioral Health				
State: HB4004 BH WF Stability	521-34-25-541-472036-	-	998,174	998,174
Operating Grants/Contributions Category Totals		-	998,174	998,174
Resource Totals		-	998,174	998,174
Salary & Wages	521-34-25-541-589000	-	998,174	998,174
Personnel Services Category Totals		-	998,174	998,174
Requirement Totals		-	998,174	998,174
Total Division 95 Resources		1,675,864	998,174	2,674,038
Total Division 95 Requirements		2,123,732	998,174	3,121,906
<u>Comments:</u>				
Increase appropriation authority for staff compensation, workforce retention and recruitment				

805 Trust Fund				
Division	Account Code	Adopted Budget	Supplemental	Revised Budget
50 - Natural Areas, Parks & Events				
Sale of Services/Supplies	805-50-45-770-431201-	2,000	75,000	77,000
Operating Grants/Contributions Category Totals		2,000	75,000	77,000
Resource Totals		2,000	75,000	77,000
Contracted Services	805-50-45-770-606000-	24,000	75,000	99,000
Materials & Services Category Totals		24,000	75,000	99,000
Requirement Totals		24,000	75,000	99,000
Total Division 50 Resources		293,000	75,000	368,000
Total Division 50 Requirements		293,000	75,000	368,000
<u>Comments:</u>				
Increase appropriation authority for road repair caused by logging in Beazell				

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

In the Matter of Supplemental Number 23041 Amending the 2021-23 Biennium Budget	)))	Resolution #R2022-015
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WHEREAS, the details of the supplemental budget actions summarized below have been examined by staff and the Benton County Board of Commissioners, and;

WHEREAS, these actions require amendments to the current biennium budget due to unforeseeable events and changes in operating conditions, and;

WHEREAS, notice concerning these actions was provided as required by law and the Board of Commissioners have conducted a public hearing as required by law:

THEREFORE, BE IT RESOLVED, that Fund and Program appropriations of the 2021-23 biennial budget are adjusted as listed below:

In the General Fund (001):

General Government (10) Operations is **increased \$1,709,335**

Health Operations (25) Operations is **increased \$2,069,461**

Justice Services (30) Operations is **increased \$30,814**

Transfers is **increased \$513,000**

Reserves for Future is decreased \$1,227,700

Contingency is decreased \$271,033

Fair Fund (106):

Cultural & Educational (40) Operations is **increased \$620,777**

American Rescue Plan Fund (107):

General Government (10) Operations is **increased \$9,545,002**

Transfers is decreased \$529,935

Contingency is decreased \$4,250,000

Local Option Levy Fund (108):

General Government (10) Operations is **increased \$2,500**

Building Development Reserve Fund (303):

Capital Improvement (65) Operations is **increased \$23,016,462**

IntraGovernmental Services Fund (514):

General Government (10) Operations is **increased \$832,000**

Enterprise Operations Fund (520):

General Government (10) Operations is **increased \$3,965,065**

Natural Areas, Parks & Events (50) Operations is **increased \$45,000**

Contingency is decreased \$15,000

Building Development Reserve Fund (303):

Capital Improvement (65) Operations is **increased \$23,016,462**

Benton Health Center Fund (521):

Health Operations (25) Operations is **increased \$1,038,174**

Trust Fund (805):

Natural Areas, Parks & Events (50) Operations is **increased \$75,000**

Adopted this 4th day of October, 2022.

Signed this 4th day of October, 2022.

BENTON COUNTY BOARD OF COMMISSIONERS

Nancy Wyse, Chair

Pat Malone, Commissioner

Xan Augerot, Commissioner

IntraGovernmental Services Fund (514):

General Government (10) Operations is increased \$832,000

Enterprise Operations Fund (520):

General Government (10) Operations is increased \$3,965,065

Natural Areas, Parks & Events (50) Operations is increased \$45,000

Contingency is decreased \$15,000

Benton Health Center Fund (521):

Health Operations (25) Operations is increased \$1,038,174

Trust Fund (805):

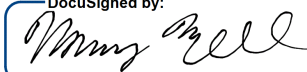
Natural Areas, Parks & Events (50) Operations is increased \$75,000

Adopted this 18th day of October 2022.

Signed this 18th day of October 2022.

BENTON COUNTY BOARD OF COMMISSIONERS

DocuSigned by:



Nancy Wyse, Chair

DocuSigned by:



Pat Malone, Commissioner

DocuSigned by:



Xan Augerot, Commissioner

DocuSigned by:



Vance Croney, Counsel

BOC Agenda Checklist Final Approval

Agenda Placement and Contacts

Suggested Agenda Date 10/04/22

[View Agenda Tracker](#)

Suggested Placement * Work Session

Department * Health Services

Contact Name * Rebecca Taylor

Phone Extension * 6787

Meeting Attendee Name * Rebecca Taylor

Agenda Item Details

Item Title * Discussion of County Code Chapter 40 Amendment and Rural Community Engagement Regarding HB 4123

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 *

30 minutes

**Board/Committee
Involvement ***

- ☐ Yes
- ☒ No

Advertisement *

- ☐ Yes
- ☒ No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

The purpose of this worksession is to gain BOC direction on amending Benton County Code Chapter 40 (Vehicle Camping at Religious Institutions) to remove the sunset date of December 31, 2022, and discuss rural community engagement regarding Chap. 40 and HB 4123 (Relating to Coordinated Homeless Response Systems).

In November 2019, the BOC directed Community Development and Health Department staff to research and develop regulatory pathways for alternative sheltering and housing options for people at risk of or experiencing homelessness, in unincorporated areas of the county.

In response to social service disruptions caused by the COVID-19 pandemic, the County adopted a 90-day emergency and an intermediate ordinance (Chap. 40) - with a repeal date of 12/31/2021 – enabling the County to authorize overnight vehicle camping (including micro-shelters) at registered sites on religious institution property – pursuant to ORS 203.082 - with the intent to conduct further research and rural community engagement for continued development of sheltering and housing options and bring Chapter 40 back to the BOC with any appropriate modifications, prior to 12/31/2021.

As the pandemic persisted, not only limiting options for public engagement but also occupying key staff, the County extended the Chap. 40 repeal date to 12/31/2022, to provide additional time to execute a robust outreach and engagement plan. There is currently one site registered pursuant to Chap. 40, and staff recommend removing the sunset date to ensure that this site can continue operations.

Since the adoption of Chapter 40, HB 2006 (2021) created new provisions; amending ORS 203.082 to enable local jurisdictions to codify reasonable time, place and manner restrictions not limited to religious institutions or three vehicles. In addition, the County has been included in a statewide Coordinated Homeless Response System Pilot pursuant to HB 4123 (2021), that prioritizes a regional response to homelessness and housing insecurity. Staff recommend aligning further efforts related to the research and development of alternative sheltering and housing options with the provisions of HB 2006 and the HB 4123 related public engagement and strategic planning. This alignment promotes improved coordination with our rural communities and will require time beyond 12/31/2022.

Whether it is the simple removal of the sunset date or includes other modifications to the code, staff will prepare the necessary ordinance and return to the BOC for a public hearing.

Options *

Direct staff to:

A. Prepare an ordinance removing the sunset date.

or,

B. Prepare an ordinance making text modifications in addition to removing the sunset date.

or,

C. Allow Chapter 40 to sunset on 12/31/2022.

Fiscal Impact *

☐ 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](#).

Mandated Service? *

☐ Yes

☒ No

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 *

House Bill 4123 supports the formation of a coordinated homeless response office between cities and counties that is intended to strengthen existing local homeless response systems that improve the livability of our community by providing services and sheltering to our unhoused community members. HB 4123 sets out minimum standards for participating communities that support community resilience, equity for everyone and health in all action, by prioritizing an equitable, accessible responsive system for community members experiencing homelessness and identifies opportunities to more effectively leverage existing funds and access new resources.

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 lack of housing is a key element of the topic of Housing and Growth. Chapter 40 creates a temporary housing option for people in need.

The coordinated office provides high-level coordination, centralized communication, and strategic visioning enabling multi-disciplinary/multi-jurisdictional collaboration that acknowledges the complexities of the causes and impacts of homelessness in our community, including community safety, environment and natural resources, and housing and growth.

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations* Direct staff to proceed to public hearing with the removal of the sunset date and any simple, useful modifications to Chapter 40.

Work Session Motions* I move to ...
I move to direct staff to prepare an ordinance for public hearing to remove the sunset date of Chapter 40 [and to make the following modifications to the text...]

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.

Community Timeline - Vehicle Camping & Transiti... 156.23KB

HB 2006 Temp Housing Options - Summary table... 157.37KB

HB 2006.pdf 41.29KB

Comments (optional)

If you have any questions, please call ext.6800

Department

APRIL HOLLAND

Approver

Department Approval: Health and Community Development

Comments

Signature

April Holland

Darren Nichols



BOC Initial Approval

Approvals Required ☒ Counsel

☐ Finance

☐ HR

Counsel Approver TERESA FARLEY

County TERESA FARLEY

Administrator

Approver

Counsel Approval

Comments

I am signing on behalf of County Counsel, Vance Croney.

Signature

Tekesa Farley

County Administrator Approval

Page 47 of 231

Comments

I am signing on behalf of County Administrator, Joe Kerby.

Signature

Tekesa Farley

BOC Final Approval

Comments

Signature *

Amanda Makepeace

81st OREGON LEGISLATIVE ASSEMBLY--2021 Regular Session

Enrolled House Bill 2006

Sponsored by Representative KOTEK; Representatives CAMPOS, DEXTER, EVANS, FAHEY, GRAYBER, HOLVEY, KROPF, LEIF, MARSH, MCLAIN, MEEK, MORGAN, NATHANSON, NERON, NOBLE, REARDON, SOLLMAN, WILDE, WILLIAMS, ZIKA, Senator PATTERSON

CHAPTER

AN ACT

Relating to housing; creating new provisions; amending ORS 203.082, 446.265 and 458.650; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Sections 2 and 3 of this 2021 Act are added to and made a part of ORS chapter 197.

SECTION 2. (1) As used in this section, “emergency shelter” means a building or cluster of buildings that provides shelter on a temporary basis for individuals and families who lack permanent housing.

(2) A building or cluster of buildings used as an emergency shelter under an approval granted under section 3 of this 2021 Act or section 11, chapter 12, Oregon Laws 2020 (first special session):

(a) May resume its use as an emergency shelter after an interruption or abandonment of that use for two years or less, notwithstanding ORS 215.130 (7).

(b) May not be used for any purpose other than as an emergency shelter except upon application for a permit demonstrating that the construction of the building and its use could be approved under current land use laws and local land use regulations.

(3) An approval of an emergency shelter under section 3 of this 2021 Act or section 11, chapter 12, Oregon Laws 2020 (first special session) is void unless the shelter is operating within two years following the approval.

SECTION 3. (1) A local government shall approve an application for the development or use of land for an emergency shelter, as defined in section 2 of this 2021 Act, on any property, notwithstanding ORS chapter 195, 197, 197A, 215 or 227 or any statewide plan, rule of the Land Conservation and Development Commission or local land use regulation, zoning ordinance, regional framework plan, functional plan or comprehensive plan, if the emergency shelter:

(a) Includes sleeping and restroom facilities for clients;

(b) Will comply with applicable building codes;

(c) Is located inside an urban growth boundary or in an area zoned for rural residential use as defined in ORS 215.501;

(d) Will not result in the development of a new building that is sited within an area designated under a statewide planning goal relating to natural disasters and hazards, in-

cluding flood plains or mapped environmental health hazards, unless the development complies with regulations directly related to the hazard;

(e) Has adequate transportation access to commercial and medical services; and

(f) Will not pose any unreasonable risk to public health or safety.

(2) An emergency shelter allowed under this section must be operated by:

(a) A local government as defined in ORS 174.116;

(b) An organization with at least two years' experience operating an emergency shelter using best practices that is:

(A) A local housing authority as defined in ORS 456.375;

(B) A religious corporation as defined in ORS 65.001; or

(C) A public benefit corporation, as defined in ORS 65.001, whose charitable purpose includes the support of homeless individuals, that has been recognized as exempt from income tax under section 501(a) of the Internal Revenue Code on or before January 1, 2018; or

(c) A nonprofit corporation partnering with any other entity described in this subsection.

(3) An emergency shelter approved under this section:

(a) May provide on-site for its clients and at no cost to the clients:

(A) Showering or bathing;

(B) Storage for personal property;

(C) Laundry facilities;

(D) Service of food prepared on-site or off-site;

(E) Recreation areas for children and pets;

(F) Case management services for housing, financial, vocational, educational or physical or behavioral health care services; or

(G) Any other services incidental to shelter.

(b) May include youth shelters, winter or warming shelters, day shelters and family violence shelter homes as defined in ORS 409.290.

(4) An emergency shelter approved under this section may also provide additional services not described in subsection (3) of this section to individuals who are transitioning from unsheltered homeless status. An organization providing services under this subsection may charge a fee of no more than \$300 per month per client and only to clients who are financially able to pay the fee and who request the services.

(5) The approval of an emergency shelter under this section is not a land use decision and is subject to review only under ORS 34.010 to 34.100.

SECTION 4. (1) Section 3 of this 2021 Act is repealed on July 1, 2022.

(2) The repeal of section 3 of this 2021 Act by subsection (1) of this section does not affect an application for the development of land for an emergency shelter that was completed and submitted before the date of the repeal.

SECTION 5. ORS 446.265 is amended to read:

446.265. (1) Inside an urban growth boundary, a local government may authorize the establishment of transitional housing accommodations used as individual living units by one or more individuals. Use of transitional housing accommodations is limited to *[persons]* **individuals** who lack permanent or safe shelter and who cannot be placed in other low income housing. A local government may limit the maximum amount of time that an individual or a family may use the accommodations.

(2) Transitional housing accommodations are intended to be used by individuals or families on a limited basis for seasonal, emergency or transitional housing purposes and may include yurts, huts, cabins, fabric structures, tents and similar accommodations, **as well as areas in parking lots or facilities for individuals or families to reside overnight in a motor vehicle, without regard to whether the motor vehicle was designed for use as temporary living quarters.** The transitional housing accommodations may provide parking facilities, walkways and access to water, toilet, shower, laundry, cooking, telephone or other services either through separate or shared facilities.

The Oregon Health Authority may develop public health best practices for shared health and sanitation facilities for transitional housing accommodations.

(3) Transitional housing accommodations are not subject to ORS chapter 90.

(4) As used in this section, “yurt” means a round, domed tent of canvas or other weather resistant material, having a rigid framework, wooden floor, one or more windows or skylights and that may have plumbing, electrical service or heat.

SECTION 6. ORS 203.082 is amended to read:

203.082. *[(1) Any political subdivision in this state may allow churches, synagogues and similar religious institutions to offer overnight camping space on institution property to homeless persons living in vehicles.]*

[(2) In addition to any conditions or limitations imposed by a political subdivision, a religious institution located within the political subdivision and offering camping space described under subsection (1) of this section must:]

[(a) Limit camping space at the institution site to three or fewer vehicles at the same time; and]

[(b) Provide campers with access to sanitary facilities, including but not limited to toilet, hand washing and trash disposal facilities.]

(1) Any political subdivision may allow any public or private entity to allow overnight camping by homeless individuals living in vehicles on the property of the entity.

(2) A political subdivision may impose reasonable conditions upon offering camping space under this section, including establishing a maximum number of vehicles allowed.

(3) Entities providing camping spaces under this section must also provide access to sanitary facilities, including toilet, handwashing and trash disposal facilities.

SECTION 7. ORS 458.650 is amended to read:

458.650. (1) The Emergency Housing Account *[shall be]* **is** administered by the Housing and Community Services Department to assist homeless *[persons]* **individuals** and those *[persons]* **individuals** who are at risk of becoming homeless. An amount equal to 25 percent of moneys deposited in the account pursuant to ORS 294.187 is dedicated for expenditure for assistance to veterans who are homeless or at risk of becoming homeless. For purposes of this section, “account” means the Emergency Housing Account.

(2) The Oregon Housing Stability Council, with the advice of the Community Action Partnership of Oregon, shall develop policy for awarding grants to organizations that shall use the funds:

(a) To provide to low and very low income *[persons]* **individuals**, including but not limited to, *[persons]* **individuals** more than 65 years of age, persons with disabilities, farmworkers and Native Americans:

(A) Emergency shelters and attendant services;

(B) Transitional housing services designed to assist *[persons]* **individuals** to make the transition from homelessness to permanent housing and economic independence;

(C) Supportive housing services to enable *[persons]* **individuals** to continue living in their own homes or to provide in-home services for such *[persons]* **individuals** for whom suitable programs do not exist in their geographic area;

(D) Programs that provide emergency payment of home payments, rents or utilities; or

(E) Some or all of the needs described in subparagraphs (A) to (D) of this paragraph.

(b) To align with federal strategies and resources that are available to prevent and end homelessness.

(3)(a) The council shall require as a condition of awarding a grant that the organization demonstrate to the satisfaction of the council that the organization has the capacity to deliver any service proposed by the organization.

(b) Any funds granted under this section *[shall]* **may** not be used to replace existing funds. Funds granted under this section may be used to supplement existing funds. An organization may use funds to support existing programs or to establish new programs.

(c) The council, by policy, shall give preference in granting funds to those organizations that receive grants from the Housing Development Grant Program established under ORS 458.625.

(4) The department may expend funds from the account for:

(a) The administration of the account as provided for in the legislatively approved budget, as that term is defined in ORS 291.002, for the department.

(b) The development of technical assistance and training resources for organizations developing and operating emergency shelters as defined in section 2 of this 2021 Act and transitional housing accommodations as described in ORS 446.265.

SECTION 8. Section 9 of this 2021 Act is added to and made a part of ORS 458.600 to 458.665.

SECTION 9. (1) As used in this section, “low-barrier emergency shelter” means an emergency shelter, as defined in section 2 of this 2021 Act, that follows established best practices to deliver shelter services that minimize barriers and increase access to individuals and families experiencing homelessness.

(2) The Housing and Community Services Department shall award grants and provide technical assistance to organizations to fund:

(a) The construction, purchase or lease of facilities to be used as low-barrier emergency shelters;

(b) The operation, use or staffing of low-barrier emergency shelters, including the costs to provide clients with access to the shelters;

(c) The development or use of amenities or facilities that provide no-cost services to individuals and families who are homeless, including restroom and hygiene facilities, laundry facilities, dining facilities, storage for personal property, meeting or gathering spaces and facilities providing case management services; or

(d) Rapid rehousing services and supports for individuals and families.

(3) In awarding grants and providing technical assistance under this section, the department shall:

(a) Ensure that funds are distributed among different regions of the state; and

(b) Prioritize funding areas of highest need as identified in the August 2019 Oregon Statewide Shelter Study.

(4) Grants under this section must be awarded:

(a) Through a competitive process that emphasizes collaborative proposals; or

(b) To one or more community action agencies.

SECTION 10. (1) As used in this section, “navigation center” means a low-barrier emergency shelter, as defined in section 9 of this 2021 Act, that is open seven days per week and connects individuals and families with health services, permanent housing and public benefits.

(2) The Oregon Department of Administrative Services may award grants to local governments to:

(a) Plan the location, development or operations of a navigation center;

(b) Construct, purchase or lease a building for use as a navigation center;

(c) Operate a navigation center that has been constructed, purchased or leased under paragraph (b) of this subsection; or

(d) Contract for the performance of activities in this subsection.

(3) The department shall require that each local government receiving a grant under this section agree to return all moneys granted unless the local government has developed a navigation center that is operating on or before July 1, 2022.

SECTION 11. Notwithstanding ORS 458.650 (2) and (3), the Housing and Community Services Department may expend funds from the Emergency Housing Account to award grants and provide technical assistance under section 9 of this 2021 Act.

SECTION 12. Sections 9, 10 and 11 of this 2021 Act are repealed on January 2, 2024.

SECTION 13. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.

Passed by House April 5, 2021

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate May 3, 2021

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

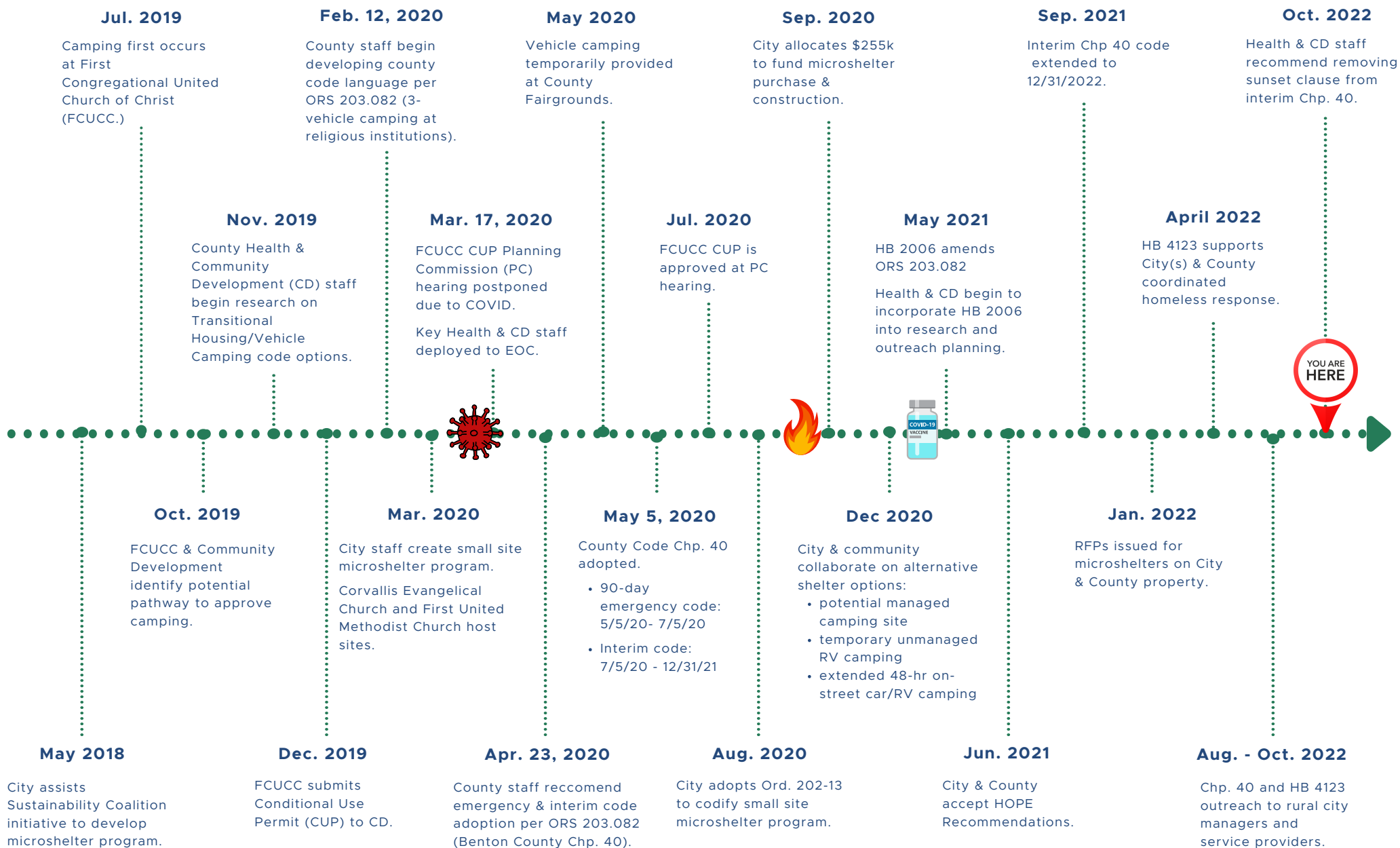
.....
Shemia Fagan, Secretary of State

Temporary Housing Options per HB 2006 (2021)

<i>Section of Bill</i>	<i>Mandatory?</i>	<i>Facilities Allowed</i>	<i>Where</i>	<i>How</i>
6	Local govt <u>may</u> allow	Vehicle or microshelter camping	Any property	Adopt enabling ordinance.
5	Local govt <u>may</u> allow	Yurts, cabins, tents, microshelters, vehicles; also, toilet, shower, laundry, cooking facilities.	Inside UGB	Adopt enabling ordinance.
3	Local govt <u>shall</u> approve any application that meets standards	Building(s) for temporary sheltering, operated by govt or experienced organization.	Inside UGB or zoned rural residential	State statute directly applicable until 7/1/2022.

Community Timeline

Vehicle Camping & Transitional Housing



CONSENT CALENDAR

**BENTON COUNTY
DISPOSAL SITE ADVISORY COMMITTEE
(DSAC)**

POSITION	NAME/ADDRESS	<u>TERM PERIOD</u>	<u>TERM SERVING</u>	<u>DATE APPOINTED</u>
1	Chuck Gilbert	Begin: 01/01/21 Expire: 12/31/23	Partial Term	04/05/22
2	Deborah Gile	Begin: 01/01/22 Expire: 12/31/24	1 st Term	07/16/19 Reappt'd 12/21/21
3	Ken Eklund	Begin: 01/01/22 Expire: 12/31/24	1 st Term	12/21/21
4	John McEvoy	Begin: 01/01/20 Expire: 12/31/22	Partial Term	10/20/20
5	Brent Pawlowski	Begin: 01/01/21 Expire: 12/31/23	Partial Term	10/04/22
6	Marge Popp	Begin: 01/01/21 Expire: 12/31/23	Partial Term	02/01/22
7	Joel Geier	Begin: 01/01/21 Expire: 12/31/23	Partial Term	02/01/22
8	Mark Yeager	Begin: 01/01/20 Expire: 12/31/22	Partial Term	04/05/22
9	VACANT	Begin: 01/01/12 Expire: 12/31/14		
10	VACANT	Begin: 01/01/09 Expire: 12/31/11		
11 Designated Permittee: Republic Services (Coffin Butte Landfill)	Ian McNab	Begin: 01/01/18 Expire: 12/31/19	Partial Term	03/01/16 01/15/19 reappt'd

STAFF: Daniel Redick, Community Development, 541-766-6014

RECORDER: Linda Ray, 541-766-0250 **(Contact)**

MEMBERS: 10 members, Benton County residents; 1 Designated Permittee (2 year term)

TERM LIMIT: 3 yrs same as SWAC; No span designated except for employee of permittee-2 years, January 1-December 31

MEETINGS: Meets every 4th Wednesday, 6:30 pm;
Benton County Sunset Building, Mary's Peak Meeting Room (2nd floor)

**BENTON COUNTY
DISPOSAL SITE ADVISORY COMMITTEE
(DSAC)**

POSITION	NAME/ADDRESS	<u>TERM PERIOD</u>	<u>TERM SERVING</u>	<u>DATE APPOINTED</u>
1	Chuck Gilbert	Begin: 01/01/21 Expire: 12/31/23	Partial Term	04/05/22
2	Deborah Gile	Begin: 01/01/22 Expire: 12/31/24	1 st Term	07/16/19 Reappt'd 12/21/21
3	Ken Eklund	Begin: 01/01/22 Expire: 12/31/24	1 st Term	12/21/21
4	John McEvoy	Begin: 01/01/20 Expire: 12/31/22	Partial Term	10/20/20
5	Brent Pawlowski	Begin: 01/01/21 Expire: 12/31/23	Partial Term	10/04/22
6	Marge Popp	Begin: 01/01/21 Expire: 12/31/23	Partial Term	02/01/22
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9	VACANT	Begin: 01/01/12 Expire: 12/31/14		
10	VACANT	Begin: 01/01/09 Expire: 12/31/11		
11 Designated Permittee: Republic Services (Coffin Butte Landfill)	Ian McNab	Begin: 01/01/18 Expire: 12/31/19	Partial Term	03/01/16 01/15/19 reappt'd

STAFF: Daniel Redick, Community Development, 541-766-6014

RECORDER: Linda Ray, 541-766-0250 **(Contact)**

MEMBERS: 10 members, Benton County residents; 1 Designated Permittee (2 year term)

TERM LIMIT: 3 yrs same as SWAC; No span designated except for employee of permittee-2 years, January 1-December 31

MEETINGS: Meets every 4th Wednesday, 6:30 pm;
Benton County Sunset Building, Mary's Peak Meeting Room (2nd floor)

**BENTON COUNTY
FORESTLAND CLASSIFICATION COMMITTEE
(BCFCC)**

<u>POSITION</u>	<u>NAME</u>	<u>TERM PERIOD</u>	<u>TERM SERVING</u>	<u>DATE APPOINTED</u>
1	Jim Wernz	Begin: 04/01/17 Expire: 03/31/23		04/16/08 04/07/20 reappt'd
2	Jennifer Beathe	Begin: 05/01/22 Expire: 04/30/26	1st Term	04/07/20 10/04/22 reappt'd
3	Pat Malone	Begin: 06/01/22 Expire: 05/31/26	3 rd Term	06/22/10 04/01/14 reappt'd 10/04/22 reappt'd
4	Brad Withrow-Robinson OSU Extension	Perpituity		
5	Leo Williamson ODF	Perpituity		
6	Aaron Harris Adair Fire & Rescue	Perpituity		

STAFF:

Leo Williamson, ODF – 541-929-9152 W; 541-207-6038 C
Jamee Millard, OM – 541-929-9153
Rick Harris, WFS – 541-929-9156

TERM LIMIT:

4 years

MEMBERS:

6 members

**BENTON COUNTY
FORESTLAND CLASSIFICATION COMMITTEE
(BCFCC)**

<u>POSITION</u>	<u>NAME</u>	<u>TERM PERIOD</u>	<u>TERM SERVING</u>	<u>DATE APPOINTED</u>
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4	Brad Withrow-Robinson OSU Extension	Perpituity		
5	Leo Williamson ODF	Perpituity		
6	Aaron Harris Adair Fire & Rescue	Perpituity		

STAFF:

Leo Williamson, ODF – 541-929-9152 W; 541-207-6038 C
Jamee Millard, OM – 541-929-9153
Rick Harris, WFS – 541-929-9156

TERM LIMIT:

4 years

MEMBERS:

6 members

**BENTON COUNTY
HISTORIC RESOURCES COMMISSION
(HRC)**

<u>POSITION</u>	<u>NAME</u>	<u>TERM PERIOD</u>	<u>TERM SERVING</u>	<u>DATE APPOINTED</u>
1 Construction Industry and architecture	Mariapaola Riggio	Begin: 07/01/21 Expire: 06/30/24	Partial Term	10/04/22
2 Real Estate	Tanya Freeman	Begin: 07/01/21 Expire: 06/30/24	2 nd Term	07/05/16 07/03/18 reappt'd 07/06/21 10/04/22 mv'd position
3 Public-At-Large	VACANT (Cody Hull)	Begin: 07/01/19 Expire: 06/30/22	4 th Term	06/08/10 07/01/13 reappt'd 07/05/16 reappt'd 07/16/19 reappt'd
4 Public-At-Large	VACANT (Paul Berg)	Begin: 07/01/19 Expire: 06/30/22	Partial Term	07/06/21
5 Owner of Historic Property (Historic Resources Protection)	VACANT	Begin: 07/01/20 Expire: 06/30/23	Partial Term	04/06/21
6 Historic Resources Protection	Jay Sexton	Begin: 07/01/20 Expire: 06/30/23	1 st Term	08/04/20 10/04/22 mv'd position
7 Benton County Historical Society	Nancy Taniguchi	Begin: 07/01/21 Expire: 06/30/24	2 nd Term	01/14/17 07/03/18 correction 07/06/21 mv'd positions

STAFF:

Inga Williams - Community Development – 541-766-6027

inga.williams@co.benton.or.us

Inga Williams, 541-766-6027

RECORDER:**TERM LIMIT:**

Three years, July 1 – June 30

MEMBERS:

Seven members: one each from the Benton County Historical Society, historical resources protection community, construction industry or architectural community, real estate community, and historical structure resident community; also two from the public at large.

MEETS:

Third Monday every month, 7:30 p.m., Avery Facility Large Conf. Room

NOTE:

Also advertise for architecture, historic resources protection, & public at large

**BENTON COUNTY
HISTORIC RESOURCES COMMISSION
(HRC)**

<u>POSITION</u>	<u>NAME</u>	<u>TERM PERIOD</u>	<u>TERM SERVING</u>	<u>DATE APPOINTED</u>
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6 Historic Resources Protection	Jay Sexton	Begin: 07/01/20 Expire: 06/30/23	1 st Term	08/04/20 10/04/22 mv'd position
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STAFF:

Inga Williams - Community Development – 541-766-6027

inga.williams@co.benton.or.us

Inga Williams, 541-766-6027

RECORDER:**TERM LIMIT:**

Three years, July 1 – June 30

MEMBERS:

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MEETS:

Third Monday every month, 7:30 p.m., Avery Facility Large Conf. Room

NOTE:

Also advertise for architecture, historic resources protection, & public at large

**BENTON COUNTY
SOLID WASTE ADVISORY COUNCIL
(SWAC)**

<u>POSITION</u>	<u>NAME</u>	<u>TERM PERIOD</u>	<u>TERM SERVING</u>	<u>DATE APPOINTED</u>
1	Chuck Gilbert	Begin: 01/01/21 Expire: 12/31/23	Partial Term	04/05/22
2	Deborah Gile	Begin: 01/01/22 Expire: 12/31/24	1 st Term	07/16/19 12/21/21 reappt'd
3	Ken Eklund	Begin: 01/01/22 Expire: 12/31/24	1 st Term	12/21/21
4	John McEvoy	Begin: 01/01/20 Expire: 12/31/22	Partial Term	10/20/20
5	Brent Palowski	Begin: 01/01/21 Expire: 12/31/23	Partial Term	10/04/22
6	Marge Popp	Begin: 01/01/21 Expire: 12/31/23	Partial Term	02/01/22
7	Joel Geier	Begin: 01/01/21 Expire: 12/31/23	Partial Term	02/01/22
8	Mark Yeager	Begin: 01/01/20 Expire: 12/31/22	Partial Term	04/05/22
9	VACANT	Begin: Expire: Term to expire same year as position 1		
10	VACANT	Begin: Expire: Term to expire same year as position 2		
11 Designated Permittee: Republic Services (Coffin Butte Landfill)	Ian McNab	Begin: 01/01/18 Expire: 12/31/19	Partial Term	03/01/16 01/15/19 reappt'd
STAFF:	Daniel Redick, Community Development: 541-766-6018			
RECORDER:	Linda Ray, 541-766-0250 (Contact)			
TERM LIMIT:	3 years: January 1 to December 31			
MEMBERS:	10 members, Benton County residents; 1 Designated Permittee (2 year term)			
MEETS:	Meets every 4 th Wednesday, 7:00 p.m.; Sunset Building, Mary's Peak Mtg Rm (2 nd floor)			

**BENTON COUNTY
SOLID WASTE ADVISORY COUNCIL
(SWAC)**

<u>POSITION</u>	<u>NAME</u>	<u>TERM PERIOD</u>	<u>TERM SERVING</u>	<u>DATE APPOINTED</u>
1	Chuck Gilbert	Begin: 01/01/21 Expire: 12/31/23	Partial Term	04/05/22
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5	Brent Palowski	Begin: 01/01/21 Expire: 12/31/23	Partial Term	10/04/22
6	Marge Popp	Begin: 01/01/21 Expire: 12/31/23	Partial Term	02/01/22
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8	Mark Yeager	Begin: 01/01/20 Expire: 12/31/22	Partial Term	04/05/22
9	VACANT	Begin: Expire:		
10	VACANT	Term to expire same year as position 1 Begin: Expire:		
11 Designated Permittee:	Ian McNab	Begin: 01/01/18 Expire: 12/31/19	Partial Term	03/01/16 01/15/19 reapp't'd

STAFF: Daniel Redick, Community Development: 541-766-6018

RECORDER: Linda Ray, 541-766-0250 (**Contact**)

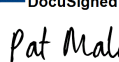
TERM LIMIT: 3 years: January 1 to December 31

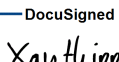
MEMBERS: 10 members, Benton County residents; 1 Designated Permittee (2 year term)

MEETS: Meets every 4th Wednesday, 7:00 p.m.; Sunset Building, Mary's Peak Mtg Rm (2nd floor)

DocuSigned by:

85593F1F843F4FD...
Nancy Wyse, Chair

DocuSigned by:

744FC1377E0E4AF...
Pat Malone, Commissioner

DocuSigned by:

66F405FE8021469...
Xanthippe Augerot, Commissioner

**BENTON COUNTY
STATE TRANSPORTATION IMPROVEMENT FUND ADVISORY COMMITTEE
(STIF)**

<u>POSITION REPRESENTED</u>	<u>NAME</u>	<u>TERM PERIOD</u>	<u>TERM SERVING</u>	<u>DATE APPOINTED</u>
1 Low-Income representative	Janece Cook	Begin: 07/01/22 Expire: 06/30/23	Partial Term	10/4/22
2 65 years or older representative	Hal Brauner	Begin: 07/01/22 Expire: 06/30/23	Partial Term	10/4/22
3 Disability representative	Cameo Perrells	Begin: 07/01/22 Expire: 06/30/23	Partial Term	10/4/22
4 Public Transp. Svc. Provider City of Corvallis	Greg Gescher	Begin: 07/01/22 Expire: 06/30/24	Partial Term	10/4/22
5 Local Government representative	Nick Meltzer	Begin: 07/01/22 Expire: 06/30/24	Partial Term	10/4/22
6 Environmental advocates	Heidi Henry	Begin: 07/01/22 Expire: 06/30/24	Partial Term	10/4/22
7 Bicycle/Pedestrian advocates	David Rabinowitz	Begin: 07/01/22 Expire: 06/30/25	Partial Term	10/4/22
8 Educational institutions representative	Meredith Williams	Begin: 07/01/22 Expire: 06/30/25	Partial Term	10/4/22
9		Begin: 07/01/22 Expire: 06/30/25		

Ex-Officios

Gary Stockhoff, Director, County Public Works, 541-766-6010, gary.stockhoff@co.benton.or.us

STAFF:

Lisa Scherf, City Transportation Services Supervisor, 541-754-1759, lisa.scherf@corvallisoregon.gov
 Brad Dillingham, Special and Rural Transportation Coordinator, 541-754-1748, brad.dillingham@corvallisoregon.gov
 Tiffany Plemmons, Transit Program Assistant, 541-766-6772, tiffany.plemmons@corvallisoregon.gov
 Jennifer Ficek, County Public Works Admin., 541-766-6009, jennifer.ficek@co.benton.or.us

TERM LIMIT:

Three years - 2 successive terms if appointed by the Board, July 1 – June 30

MEETS:

To be determined.

**BENTON COUNTY
STATE TRANSPORTATION IMPROVEMENT FUND ADVISORY COMMITTEE
(STIF)**

<u>POSITION REPRESENTED</u>	<u>NAME</u>	<u>TERM PERIOD</u>	<u>TERM SERVING</u>	<u>DATE APPOINTED</u>
1 Low-Income representative	Janeece Cook	Begin: 07/01/22 Expire: 06/30/23	Partial Term	10/4/22
2 65 years or older representative	Hal Brauner	Begin: 07/01/22 Expire: 06/30/23	Partial Term	10/4/22
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9		Begin: 07/01/22 Expire: 06/30/25		

Ex-Officios **Gary Stockhoff**, Director, County Public Works, 541-766-6010, gary.stockhoff@co.benton.or.us

STAFF: Lisa Scherf, City Transportation Services Supervisor, 541-754-1759,
lisa.scherf@corvallisoregon.gov
Brad Dillingham, Special and Rural Transportation Coordinator, 541-754-
1748, brad.dillingham@corvallisoregon.gov
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Jennifer Ficek, County Public Works Admin., 541-766-6009
jennifer.ficek@co.benton.or.us

TERM LIMIT: Three years - 2 successive terms if appointed by the Board, July 1 – June 30

MEETS: To be determined.

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

Zoom link: <https://zoom.us/j/99886418676?pwd=YitWbWY2anFWUmdnYUtuT2VJbGR3dz09>

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

Tuesday, August 16, 2022

9:00 a.m.

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

Excused: **Xanthippe Augerot**, Commissioner

Staff: **Rick Crager**, Finance; **Marriah De La Vega**, **Maura Kwiatkowski**, **Amanda Makepeace**, BOC Staff; **Cory Grogan**, Public Information Officer; **Suzanne Hoffman**, **April Holland**, Health; **Nick Kurth**, JSIP Manager; **Erika Milo**, BOC Recorder; **Darren Nichols**, **Daniel Redick**, Community Development; **Gary Stockhoff**, Public Works; **Jef Van Arsdall**, Sheriff's Office; **Mario Veloz**, Information Technology

Guests: **Kathryn Duvall**, Corvallis-Benton Economic Development Office; **John Harris**, Horsepower Productions; **Molly Murphy**, **Ryan Vogt**, **Meg Walker**, Oregon Cascades West Council of Governments; **Debbie Palmer**, Corvallis resident

Chair Wyse called the meeting to order at 9:00 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. Work Session

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

Holland explained that reported COVID-19 cases are down and statewide wastewater surveillance shows a downward trend. The week of August 7, 2022, Benton County (BC) had a total of 139 reported cases, or 148 cases per 100,000 of population. Reported cases have not been under 200 per 100,000 since April 2022. Holland noted that reported cases are a sizeable undercount. Testing positivity rate was up to 19.5% in late June, but last week was 9.8%. BC tests at one of the highest rates per capita of all Oregon counties. BC wastewater surveillance has been more variable than in some areas of the state; reporting lags, so staff continue to monitor other indicators. On August 11, 2022, BC moved to “Low” community transmission in the Centers for Disease Control (CDC) levels. Hospitalizations remain elevated at 9.4 new COVID-

19 admissions per 100,000 of population. Five more deaths have been reported in BC. The Communicable Disease team continues to support high-risk settings. No new variant is known at this time. The next case increase may occur at the end of September or October 2022 due to waning immunity. Holland recommended staying up to date on vaccination and assessing risks regarding mask wearing. Vaccination will be available at SamCare Express in Corvallis and Albany, Lincoln Health Center, Oregon State University Memorial Union, Clemens Primary School in the City of Philomath, and Monroe High School.

A new bivalent booster should be available in fall 2022. Last week the CDC updated COVID-19 guidance, more in line with Oregon Health Authority (OHA) guidance since about March 2022. OHA will continue to provide tests to Kindergarten-12th Grade schools. The CDC continues to recommend extra precautions for those at high risk for severe illness from COVID-19. Layering protections when risk is higher is still recommended.

Malone asked if the lack of a new variant was worldwide.

Holland confirmed there are no new variants of concern in other locations. It is hoped that bivalent vaccines can be distributed before a widespread increase of transmission.

Malone asked for more detail on local hospitalization rates.

Holland replied that hospitalizations tend to rise two-three weeks after high case rates. The rate of hospitalizations is expected to decrease.

4.2 *Benton County Talks Trash: Solid Waste Process (SWP) Workgroup – Darren Nichols; Community Development

Nichols gave the first twice-monthly project update to the Board on the SWP Workgroup (WG). Nichols requested Board feedback on a draft Workgroup (WG) Charter by Sam Imperati, WG facilitator. Redick and Counsel are working on background documents recommended in the situational assessment, especially the Common Understandings draft; Redick also made a website for background documents. Counsel has drafted an outline of Authorities and Responsibilities between Republic Services (RS) and BC. Grogan sent invitations for community members to apply to join the WG through the end of August 18, 2022. Applications will be provided to the Board, which will adopt the Charter and appoint WG members at the August 23, 2022 Board Meeting. Next, requests for proposal will be issued in the first week of September 2022 for land use counsel to help review land use applications, and a land use consulting firm to review and present applications to the Planning Commission. Nichols displayed a revised version of a chart of action items (exhibit 1). Green highlighted items have been completed, yellow items are in progress, and white items have not been started. Nichols requested Board feedback today and in general.

Wyse requested regular updates, and will provide feedback in future as needed.

Malone asked if the goal was to appoint 16 WG members, half from dedicated sources and half community members.

Nichols confirmed. The goal is balanced perspectives and a manageable group size, as recommended by Imperati. Nichols requested more detailed Board suggestions to select two neighboring jurisdictions to participate. Nichols had asked Kerby regarding BC staff to serve on the WG. The Solid Waste Advisory Council and the Planning Commission each appointed two

members, Republic Services made its wishes known from the local and national level, and Imperati secured a commitment from a representative of Oregon Department of Environmental Quality. Public applicants were asked to provide a two-three page summary of background, interests, and experience.

{Exhibit 1: SWP Action Items}

4.3 Oregon Cascades West Council of Governments (OCWCOG) Veterans' Services Update – Ryan Vogt, Executive Director, Molly Murphy, Veteran Service Officer; OCWCOG

Vogt introduced new Communications Officer Meg Walker. COG is a volunteer organization where member agencies come together to more efficiently take care of business that each entity would otherwise have to do; thus every COG is crafted to meet regional needs. Vogt highlighted a new reporting style that describes COG services including client stories. Next year, reporting will be able to provide individual member information. COG has been asked by its Board of Directors (BOD) to investigate options for a regional Bias Incident Response System, in response to many community concerns. This issue was initially brought to COG by the City of Corvallis, which designated funds for an investigation due to specific incidents. COG hired a contractor who researched existing systems and is now performing community engagement on individual experiences, existing resources, and resource gaps. A conversation will be held at the Philomath Community Library on August 23, 2022. Community engagement will also be done in Linn and Lincoln Counties. COG received match funds to begin the Stand By Me financial empowerment program, including a \$24,000 grant from Oregon Community Foundation to sponsor a Latinx coach.

Vogt has engaged consultant Pivotal to help develop a COG strategic plan, including primary areas of focus and clarification of the mission statement. Malone serves on the COG BOD and Executive Committee; the whole BOD will continue to be engaged in work on the plan, which should be completed by the end of 2022.

Murphy reported on Veterans Services Office (VSO) activities for the past six months. Reporting has shifted from graphs to holistic description of activities. VSO held the first Linn-Benton Stand Down event in the last two years, hosted in the City of Corvallis for first time; 35 veterans attended. VSO is also working with the Lesbian, Gay, Bisexual, Transgender and Queer Plus Coordinator for the Oregon Department of Veterans Affairs, planning events at Oregon State University (OSU) in 2022. Melissa Wright was hired in June 2022 as VSO Community Services administrative assistant, so response time has improved. Ian Briggs was also hired, with experience in veterans' appeals. There has been an uptick in the number of in-person appointments with veterans. In the last six months, VSO worked with 112 veterans in person and 94 by telephone.

Vogt requested Board of Commissioners feedback on the new reporting style. The report included a map about Benton County Early Childcare Education slots. COG, the County, and most member agencies are experiencing a workforce squeeze, partly due to low availability of childcare, with many dual-income families opting to be single-income to provide their own childcare. There is a dearth of available certified daycare slots for families in the area or moving to the area who have children of childcare or preschool age. (This data does not cover informal childcare by relatives, friends, or neighbors.). Next steps include increasing the pipeline of people moving into this field, considering investment strategies, and working with Linn-Benton Community College (LBCC), OSU, and some high schools. Higher wages do not necessarily

impact workforce turnover, but periodic bonuses seems to help people stay on the job. In addition to a lack of slots, COG found many places with slots who also have trouble getting staff. COG staffer Jenny Glass can provide additional details.

Malone praised the new report format, especially regarding veterans. Malone asked if ODVA offices were still closed to in-person visits.

Murphy replied ODVA is in-office one day a month; COG VSO is in-office two days a week.

Malone asked about ongoing conversations with CSC about organizational consolidation/cooperation.

Vogt described a longtime conversation about partnership between Community Services Consortium (CSC) and COG, which serve the same region and many of the same clients. A past discussion of combining administratively did not work out. Instead, CSC Executive Director Pegge McGuire and Vogt are seeking ways to streamline services for a one-stop shop approach. Another option is to combine some staff, such as having one Finance or Human Resources Department for both agencies; then merging can be discussed. CSC and COG will seek joint tenancy space in the Corvallis area. COG's lease has a year left; CSC's lease has several more years. In the Albany office, COG owns its building; since many COG staff will be teleworking for the foreseeable future, there is unused space that CSC might move into. Work is happening on universal eligibility; some seniors who are eligible for food assistance through COG are also eligible for some CSC programs, such as energy and weatherization services. COG provided CSC a list of consumers that meet that criteria so CSC can notify consumers.

Malone praised the one-stop shop approach and being consumer-oriented.

Vogt explained that due to staff retirements, COG and CSC needed to replace several senior leadership team members at the same time. This led to some mentoring between agencies as people learned new roles. McGuire and Vogt are working on both agencies coordinating if one implements policy or gets new software or hardware. For instance, if the Human Resources teams use the same policies and software system, staff can cover for each other's vacations.

Malone noted feeling uncomfortable with the term 'merger' when that conversation started over three years ago. Cooperation is a slow process but may yield better results. Customers care about services, not which group provides the service.

Wyse appreciated the detailed information, including the Adult Protective Services multi-disciplinary team. Wyse was on Corvallis City Council when the bias response conversation started and was glad the project was moving forward. Wyse asked about a statewide reporting system that was being set up by the State.

Vogt replied the system was set up in the Oregon Department of Justice, which secured some additional funding for staffing. Vogt had not seen detailed data yet. COG's contractor is investigating existing bias response systems; there is also a comprehensive student-focused system at OSU. Response providers could include organizations and community affinity groups, from Law Enforcement to civic engagement. The consultant's report has not been completed yet.

Wyse noted that data could aid the County's efforts. Wyse asked about the Mobility Hub design.

Vogt replied that a multi-mobility center at LBCC and OSU is going in, which will allow people to get public transportation, share bicycles or scooters, and link to carpooling options. COG had grant funds for the initial design phase. LBCC and OSU want to add new customizations, so COG is determining whether more funds are needed. If funds are not found through traditional sources, the schools must either find funds or scale back the design.

Wyse asked if there is a way to directly ask VSO clients for feedback on services.

Murphy is planning to create a feedback form; COG is not tracking that currently.

Vogt added that as in-person visits increase, there will be more outreach to inform other veterans about services.

Kerby noted that the County examined providing onsite childcare at the Kalapuya Building for employees and community, but realized there were a lack of providers and other challenges. It is still an aspiration; the County would look for partners. Kerby will contact Jenny Glass.

Vogt shared that COG has considered providing that service in its building, and suggested mutual conversation.

Chair Wyse recessed the meeting at 9:58 a.m. and reconvened the meeting at 10:03 a.m.

V. New Business

5.1 Selection of Architect for Courthouse Project -- Gary Stockhoff, Public Works

Stockhoff explained that stakeholder interviews were held on August 4, 2022 for the final two architect candidates for the Courthouse/Justice System Improvement Program (JSIP). The panel unanimously recommended selecting DLR Group and beginning contract negotiations. Kerby and Van Arsdall served on the selection committee. Criteria included past experience including trauma-based design, experience working with the Oregon Department of Justice, experience with courthouses and other justice-related facilities, the quality of the firm's team, how long the team had been together, and the team's availability throughout the contract. The DLR team that has worked on JSIP so far (including Hein, Lori Coppenrath, and Jane Gooding) will spearhead the design. DLR has all the project background. Staff are already working on the contract.

Kerby noted that the selection process was very thorough. This decision sets the stage for the entire JSIP campus. Kerby recognized Kurth for managing the project.

Malone asked Kurth to review work DLR had done for the County thus far.

Kurth explained that DLR Group has been the County's predesign/conceptual design consultant since that phase of JSIP began almost two and a half years ago. DLR will work on the entire campus. DLR has been instrumental in the 20-month site selection process, including the County's interactions with the Technical Advisory Committee and Community Advisory Committee, which led to conceptual designs shared in community engagement. DLR will present a site master plan to the Board in early September 2022.

MOTION: Malone moved to select DLR Group as the architect for the new Courthouse, and to direct staff to enter into contract negotiations. Wyse seconded the motion, which **carried 2-0.**

VI. Other

No other business was discussed.

VII. Adjournment

Chair Wyse adjourned the meeting at 10:27 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/95150142198?pwd=NVdyWWJQazFrYnUxQ3loa09KV0Nndz09>

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

Tuesday, September 6, 2022

9:00 a.m.

- Present:** Nancy Wyse, Chair; **Pat Malone**, Commissioner; **Xanthippe Augerot**, Commissioner; **Vance Croney**, County Counsel; **Joe Kerby**, County Administrator
- Staff:** **Chelsea Chytka**, Bryan Lee, Jef Van Arsdall, Sheriff's Office; **Rick Crager**, Finance; **Lindsey Goodman**, Nick Kurth, JSIP; **Cory Grogan**, Public Information Officer; **Suzanne Hoffman**, **April Holland**, **Damien Sands**, Health; **Amanda Makepeace**, BOC Staff; **Erika Milo**, BOC Recorder; **Darren Nichols**, **Gary Stockhoff**, Public Works; **Daniel Redick**, Solid Waste; **Mario Veloz**, Information Technology; **Matt Wetherell**, Juvenile Department
- Guests:** **Lori Coppenrath**, **Mitch Hein**, DLR Group; **Simon Date**, **Christina Jancila**, Corvallis Chamber of Commerce; **Chuck Gilbert**, Solid Waste Advisory Committee; **John Harris**, Horsepower Productions; **Sam Imperati**, ICM Resolutions; **Cody Mann**, Mid-Valley Media; **Pam Vaughan**, City of Corvallis; **Ryan Weber**, Corvallis resident; **Ahmed Zibare**, resident

Chair Wyse called the meeting to order at 9:00 a.m.

- I. Opening:**
A. Introductions
B. Announcements

No announcements were made.

II. Comments from the Public

Ryan Weber, Tok'n Smoke Shop owner: Due to the 1,000 foot rule between new tobacco retailers under Benton County (BC) tobacco licensing requirements, Weber has been unable to acquire a tobacco license for Tok'n. The Tobacco Ordinance has created business inequity in the City of Corvallis market. Weber's only competition has a monopoly on all specialty tobacco products. Keeping tobacco advertising away from children and members of the impoverished community is important, but the 1,000 foot rule does not make sense for a condensed urban requirement. Weber's shop is only for patrons age 21 and up. If unable to get a tobacco license, Weber will have to close the business. Weber asked the Board to exempt age-restricted shops from the Ordinance, or to give Tok'n an exemption.

Christina Jancila: Jancila shared that when the tobacco licensing requirement came before the Corvallis City Council, the main concern in public testimony was keeping tobacco away from minors and reducing density of tobacco retailers, more notably in communities of color in south Corvallis. Dari-mart, Safeway, China Delight, Harrison's Bar & Grill, and Peacock Bar & Grill are the only tobacco retailers in the Corvallis Central Business Zone (CBZ). Peacock and Harrison's are restricted to ages 21+. The 1,000 foot rule is overreaching in the CBZ, which is not residential and does not have a significant population of minors. The rule disproportionately affects the CBZ where businesses are condensed, and has created a monopoly. Tok'n will not be

able to stay open if Weber cannot expand into the tobacco market. Jancila urged the Board to grant an exemption to age 21+ shops only.

Simon Date, Corvallis Chamber of Commerce: Date expressed support for Weber's request for an exception from the 1,000 foot rule. The top concern of the Tobacco Ordinance was keeping tobacco away from minors and reducing the density of retailers that sell such products. This is a good rule. However, minors are not allowed into 21+ shops, thus are not exposed to tobacco advertising. Date requested that the Board amend the requirement to allow new and existing retailers with age 21+ entrance requirements to sell tobacco.

III. Review and Approve Agenda

No changes were made to the agenda.

IV. Work Session

4.1 COVID Department Operation Centers Update – Suzanne Hoffman, April Holland; Health Department

Holland reported that COVID-19 cases are down and statewide wastewater surveillance shows a stable to downward trend. For the week of August 28, 2022, BC had 89 reported cases, down from 110 the previous week, with a seven-day case rate of 95 per 100,000 of population. Reported cases reflect a large undercount of infections, but provide an impression of prevalence. Testing positivity rate was as high as 20% in late June 2022, but now is just above 10%. BC continues to test at a higher rate than most counties. BC remains in the Centers for Disease Control (CDC) "low" community transmission level.

There has been a sustained decrease in hospitalizations and deaths. BC had 4.5 new COVID-19 admissions per 100,000; at previous report, there were 9.4 admissions per 100,000. The Communicable Disease team continues to support vulnerable populations, especially in congregate settings. There is no new variant on the horizon. Cases are anticipated to increase in September/October 2022 due to waning vaccine immunity, the school year beginning, and more indoor activity. All eligible individuals are encouraged to get the bivalent booster, which includes parts of the original and omicron BA.5 COVID-19 strains, and will replace the previous booster. Providers who pre-ordered boosters should start receiving those next week. Current vaccine eligibility is age 12+ for Pfizer, age 18+ for Moderna, and at least 2 months since the previous booster or infection. Authorizations may expand to age five soon. Experts expect new boosters will be better, but may not halt transmission. As with influenza vaccines, COVID-19 will probably be updated each year based on anticipated strains. Holland described September 2022 vaccination events at the Fairgrounds, Oregon State University (OSU) Memorial Union, Corvallis Boys & Girls Club, and the cities of Philomath and Monroe.

Malone asked whether it is all right mix and match vaccine brands.

Holland replied that mixing and matching is accepted; the vaccines are very comparable and people should get whichever one is available.

Malone asked who performs wastewater monitoring and what area that includes.

Holland replied that monitoring is conducted across OSU and at several locations. Local signals have been steady, not a huge decrease. There is a lot of stable or decreasing activity statewide.

Malone asked about expected severity of influenza season.

Holland predicted that with fewer people masking, there could be a robust influenza season. Holland encouraged people to get an influenza vaccine.

Wyse asked if one should wait between receiving COVID-19 and influenza vaccines.

Holland replied that co-administration of COVID-19 and influenza vaccinations is fine, including for young children.

4.2 Update from Benton County Talks Trash: Solid Waste Process Workgroup – *Darren Nichols, Community Development*

Nichols provided the first of twice-monthly updates and requested Board feedback on the content of the updates. On August 23, 2022, the Board adopted a charter for the Solid Waste Process (SWP) Work Group (WG) and appointed WG members. The first WG meeting will be September 8, 2022. The WG was given five charges:

- Develop a common understandings document (CUD).
- Clarify existing criteria and information requirements regarding future land use applications, including Conditional Use permits and expanding/changing Coffin Butte Landfill (CBL) operations.
- Scope tasks and processes to work on a long-term sustainable management plan (this has not been done since 1975).
- Provide input on additional topics raised in the assessment report about solid waste management and disposal.
- Consider creating a public document and community education campaign.

Augerot asked if modifying and clarifying criteria under a Conditional Use permit would have to be done in a formal way to be effective, going through the Planning Commission and the Board.

Nichols clarified that under the charter, the WG is specifically asked not to determine policy or opine on merits of any future land use actions, but is asked to suggest what BC planning officials should consider on a future land use application, especially under “other information required”. This enables the official to consider or request other information, but what that would consist of is not clear yet. The WG does not create policy or restrictions.

Augerot summarized that this will set sideboards for “other information” as required by a planning official, but BC will not have to go through the formal process for community input on a Conditional Use application, and will have the opportunity to change BC development code and the Comprehensive Plan in future based on some of that input.

Nichols confirmed. The Board can adopt policy at any time.

Responding to a question from Malone, Nichols provided details about the meeting, which is open to the public and WG members, either in person or remotely.

Imperati explained that the first meeting will mainly focus on process, identifying the steps for the final report to the Board on December 15, 2022. This meeting will cover ground rules, introductions, reviewing the Charter, guiding principles from the Board, how to vote, WG and staff communication, and collaboration training. Public comment will be heard, members will be polled to rank the WG charges, and the WG will start drafting the report. There will be meeting

evaluations and homework. Initial member feedback on the CUD is due today. Notes from the first meeting will be available and polls will be recorded. At the end of the process, each member can attach thoughts on the group's recommendations. This meeting's main goal is the CUD, which will put all the historical information in one place.

Augerot asked if the CUD would be completed by September 15, 2022, or would there be an opportunity for changes before December 2022.

Imperati replied that today's survey asks members to rank the relative importance of items including the CUD, which is unlikely be finished by September 15, 2022. The document will probably need action at the third meeting and is not final until December 15, 2022.

Augerot and Malone expressed approval for the process.

Augerot shared there has been concern from some CBL neighbors that there was is not good representation from their area. All those involved in this issue need to be at one table, so Augerot looked forward to seeing whether the Board has put together a truly representative group.

Wyse thanked Imperati and Nichols for the work. Wyse supported the WG taking a CBL tour; site visits are very important. The Board will attend the beginning of the September 8, 2022 WG meeting.

4.3 Community Safety and Justice Campus Site Master Plan – Nick Kurth, JSIP Manager; Mitch Hein, DLR Group

Kurth presented a draft site master plan (SMP) for the JSIP campus by architects DLR Group. The plan may still change with more stakeholder input. BC has identified a JSIP site, shared test fits (conceptual models) with the public, and now will develop the SMP. BC is proceeding with the new Courthouse (NCH) and District Attorney's Office (DAO), and considering other proposed facilities under the JSIP bond measure for May 2023. The SMP was developed in the pre-design phase, but will soon be part of the NCH/DAO architectural and engineering work that Stockhoff is leading.

Chair Wyse recessed the meeting at 9:53 a.m. and reconvened the meeting at 10:02 a.m.

Kurth introduced Lindsey Goodman, who will provide administrative support for Kurth and Crager.

Hein discussed the SMP using an image and a scale model. Hein described site considerations including setbacks from Highway 20, Willamette River Greenway (WRG), and General Industrial zoned areas including a residential setback. The plan is largely outside of WRG; a collector road will go through it. The site has good views towards the Marys River, downtown Corvallis, and Marys Peak. The 100 year floodplain is almost completely outside of the campus site, presenting no concerns. The 500 year floodplain is critical for the Emergency Operations Center; all buildings will be above both floodplain elevations.

Kurth added that a limited amount of site preparation (movement of dirt) will put all facilities above the 500 year floodplain.

Hein discussed site roadways and other public improvements. The Corvallis Transportation System Plan calls for a collector road to be constructed as part of this project; the team will work

with Corvallis and Oregon Department of Transportation (ODOT) to determine the road's exact alignment. An extant sidewalk will be widened to a multi-modal path. Storm water is designed to drain to Garfield Creek to the west. There are two existing waterlines; a new waterline will be placed under the collector road. Sanitary drainage will be similar, moving to the existing line on the west.

Kurth added that staff will continue to work with Corvallis Public Works on these elements.

Hein showed the original test fit, which includes offsets and sites the new road. This image only shows square footage, including parking and circulation; wayfinding, views, and operational efficiency will be added. A ring road is needed around the entire site. The Sheriff's Office (SO) is adjacent to the Correctional Facility (CF).

Hein described DLR's design process. During work sessions, rough sketches are made, which designers turn into a cohesive diagram. Many versions were considered; Hein displayed the top three. There is a high requirement for public, staff, and County parking; SO parking must be right next to the SO building. Putting the collector road on the west side has implications for drainage, so putting the buildings further away means building more connecting utilities.

The same DLR team that worked on the SMP is also working on the NCH. The team took one of the design schemes, placed it on the solar axis, corrected for size, then added landscape architecture. Next came a hardline drawing and a three-dimensional model of the draft SMP. The NCH and CF are on a north-south axis for passive solar design, making it much easier to control glare, heat, and interior lighting. Placing the buildings on the west side helps water drain naturally west. The NCH is a three-story building on the south side of the site, which gives it a presence that is ideal for wayfinding. Clear navigation reduces stress for the public visiting this campus. Buildings all open towards a central courtyard so it is easy to find a public entrance. The height of the NCH also provides scenic views from public waiting areas and judges' chambers.

For operational efficiency, the CF directly connects to to the NCH. A sally port will link the buildings to bring Adults-in-Custody into the back side of the NCH. Public and secure/staff functions are separated. Future expansion was a high criteria for site selection and has guided the process. Expansion is possible west of the initial block, as is expansion for the DAO on the southwest side of the NCH. This will not involve building on top of existing buildings.

Malone asked how long there would be flexibility in the design work.

Hein replied that it is important for the SMP to provide future flexibility for the design team. This is not an architectural design; it simply locates the buildings functionally. The number of levels of each building is locked in now. A more architectural design process will follow, looking at materials, interiors, and floor plans, and meeting stakeholders.

Malone asked if the building locations were mostly firmed up.

Hein replied there is still some flexibility. Directly connecting the SO to the CF is still being discussed. The overall shape is still somewhat flexible, but nothing will move substantially. The road will not move from that side.

Augerot praised the team's thoughtfulness about heating/cooling, maximizing natural drainage, and wayfinding.

Wyse agreed and asked if there were any wetlands in this area.

Hein stated there are none on site, only some to the west for Garfield Creek. The site area has no protected vegetation. On the west side, there is a hard line at the property line where the natural area starts.

Wyse asked if the proposed DAO expansion space would be grass or a plaza in the meantime.

Hein replied that the area would be landscaped. Landscape design is not fully finalized and this diagram is not an actual landscape plan. No parking or infrastructure would have to be moved for expansion.

Kurth noted that east of the proposed collector road, there are about eight acres not slated for development, with just over one acre of wetlands.

Hein showed a diagram of Phase one buildings: the NCH and some DAO space on the first floor of the NCH, utilities, sally port, ring road, and associated parking. For future phases, DLR started joint meetings last week with the City Planning Department, Public Works, and the Fire Marshal, and will meet with ODOT tomorrow. Highway 20 connections and a possible left turn lane will be discussed with ODOT. Feedback from the City so far has been positive. This property has a planned development overlay, so there are requirements for future development to comply with the overlay, or it can be lifted; the City will decide if the County complies. A second connection to Highway 20 is vital for emergency access. There are requirements about how parcels connect to arterials; an exception to the City's land use process will be needed, then verified with ODOT.

Malone asked if the second access road would be public access.

Hein replied the access road is not intended for the public; it could be a staff exit or an emergency evacuation route.

Kerby approved of the design and requested an update on the text amendment that relates to one of the facilities.

Kurth noted the amendment goes before the City Council tonight, but is not explicit to this campus; the City is requesting to add civic administrative services to all properties zoned General Industrial.

4.4 Requesting an Exemption From Competitive Bidding for the Construction Management/General Contracting (CMGC) Services for the Courthouse/District Attorney's Office Component of the Benton County Justice System Improvement Program – Gary Stockhoff; Public Works

Stockhoff explained that the CMGC route allows the schedule to be compressed and is usually less costly than the traditional design, bid, and build model. The contractor works collaboratively on the process. Findings of fact are attached to the Order, and a public hearing is required in two weeks. At this time, staff are only seeking the CMGC method for the NCH and DAO. Staff will issue a request for approval which is competitively bid, then goes through a committee scoring process.

MOTION: Augerot moved to set a public hearing on September 20, 2022 in the matter of requesting an exemption from competitive bidding from the CMGC services for the Courthouse/District Attorney's Office component of the Benton County JSIP. Malone seconded the motion, which **carried 3-0.**

V. Consent Calendar

5.1 In the Matter of Approving an Amendment to Detention Unit Use at Oak Creek Facility – Matt Wetherell, Juvenile Director

5.2 In the Matter of Appointment to the Linn-Benton Housing Authority: Fredrick Edwards

MOTION: Malone moved to approve the Consent Calendar of September 6, 2022. Augerot seconded the motion, which **carried 3-0.**

VI. Proclamations

6.1 In the Matter of Proclaiming the Month of September as Suicide Awareness and Prevention Month – Damien Sands, Behavioral Health Division

Sands read the proclamation aloud.

MOTION: Malone moved to proclaim September 2022 as Suicide Awareness and Prevention Month in Benton County, Proclamation #P2022-016. Augerot seconded the motion, which **carried 3-0.**

Augerot shared that a community forum on mental health and intersection with the justice system will be held on September 13, 2022.

6.2 In the Matter of Proclaiming September 17, 2022, as Constitution Day in Benton County – Nancy Wyse, Chair of Benton County Board of Commissioners

Wyse read the proclamation aloud.

MOTION: Malone moved to proclaim September 17, 2022 as Constitution Day in Benton County, Proclamation #P2022-015. Augerot seconded the motion, which **carried 3-0.**

6.3 In the Matter of Proclaiming September 2022 as National Preparedness Month in Benton County – Bryan Lee, Benton County Sheriff's Office Emergency Manager

Lee noted this is the two-year anniversary of 2020 Labor Day fires in southern Oregon, which caused considerable damage to many communities. Lee read the proclamation aloud, encouraging residents to participate in neighborhood preparedness activities, local emergency notification alerts, and preparedness events, and to develop their own emergency preparedness plans.

MOTION: Augerot moved to proclaim September 2022 as National Preparedness Month in Benton County, Proclamation #P2022-017. Augerot seconded the motion, which **carried 3-0.**

Malone added that every month should be preparedness month. Climate change is causing increased disasters.

Lee introduced new Emergency Management Planning Coordinator Chelsea Chytka.

VII. Old Business

7.1 Discussion and Decision Regarding the Creation of Two New Regular, Full-time Public Health Positions: Climate and Health Coordinator and Communicable Disease Investigator – April Holland; Health Department

Holland noted that the two positions are covered by mid-budget and other funding streams from Oregon Health Authority (OHA) and the State Legislature; there is no request for general revenue funds. The first requested position is a full-time permanent Climate and Health Coordinator (Program Coordinator 1). Climate has tremendous effects on health, with outsized effects on underserved community members. Public Health must help the community remain resilient and adapt to environmental change. The Coordinator will be housed in the Environmental Health program and will perform outreach, community mobilization, and climate health assessment implementation and evaluation. The position will also conduct climate regulatory duties relating to the Clean Air Act and tobacco retail licensing. Through State Program Elements 51 and 10, public health modernization funds increased from \$153,000 in 2019-2021 to \$589,000 in 2021-23. The intersection of climate and health was identified as an area of focus. Tobacco prevention also received additional ongoing mid-stream funds, as the County is now responsible for tobacco retail licensing for all its jurisdictions. Without this position, PH would lack capacity to achieve its modernization goals, which could affect future funding and community health. The position is funded by 50% public health modernization, 25% enforcement of the Indoor Clean Air Act, and 25% Tobacco Licensing Fund.

The second position is a full-time Communicable Disease Investigator (Technical Analyst 1). This position stems from new mid-stream funding from OHA, effective July 2022, to support disease intervention client services for sexually transmitted diseases including Human Immunodeficiency Virus. This will significantly increase the capacity of Communicable Disease team for disease prevention and control. Many communicable diseases have risen nationally with little investment outside of COVID-19. In BC, this has resulted in HIV outbreaks and cases of congenital syphilis and perinatal hepatitis B, which were uncommon in previous decades. This position will increase capacity to respond to individuals with disease and to conduct health education and prevention. If the position is not approved, the County will lack capacity to meet these needs, and would be ineligible for the OHA funding. Remaining funds support the Harm Reduction Program, which provides syringe exchange, naloxone, and support to some of the County's most vulnerable residents.

Responding to a question from Malone, Holland confirmed that funding for the second position will continue.

MOTION: Malone moved to approve the creation of two new full-time regular positions, a Climate Health Coordinator and a Communicable Disease Investigator. Augerot seconded the motion, which **carried 3-0.**

Augerot noted there is now an additional person to help with planning for climate-related mitigation and response.

VIII. Old Business

8.1 Approval of the August 28, 2017 Minutes – Vance Croney, County Counsel

Counsel explained that these minutes were never approved due to an oversight. The only current Commissioner who attended this meeting was Augerot, who will sign the document. The meeting was the last of a series to discuss creating a Memorandum of Understanding and changing Chapter 16 describing Fair Board duties and responsibilities.

Wyse noted that the Board's practice is not to approve minutes for a meeting one did not attend, but State law allows this.

MOTION: Malone moved to approve the minutes of the August 28, 2017 Work Session between the Benton County Board of Commissioners and the Fair Board. Augerot seconded the motion, which **carried 3-0.**

IX. Other

No other business was discussed.

Chair Wyse recessed the meeting at 11:13 a.m. and reconvened the meeting at 11:24 a.m.

X. Executive Session ORS 192.660[2][e] – Negotiations for Property Transactions and ORS 192.660[2][h] – Discussion of Potential Litigation

Chair Wyse recessed the regular Board Meeting and entered Executive Session at 11:30 a.m.

Chair Wyse exited Executive Session at 12:32 p.m. and immediately reconvened the regular Board Meeting.

XI. Adjournment

Chair Wyse adjourned the meeting at 12:32 p.m.

Nancy Wyse, Chair

Erika Milo, Recorder

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



MEETING MINUTES

BENTON COUNTY BOARD OF COMMISSIONERS CORVALLIS CITY COUNCIL

September 8, 2022, 4 PM

PRESENT

BENTON COUNTY

Nancy Wyse, Chair
Pat Malone, Vice Chair
Xanthippe Augerot, Commissioner
Joe Kerby, County Administrator
Suzanne Hoffman, Health Director

CITY OF CORVALLIS

Biff Traber, Mayor
Jan Napack, Councilor, Ward 1
Christina Jancila, Councilor, Ward 2
Hyatt Lytle, Councilor, Ward 3
Gabe Shepherd, Councilor, Ward 4
Charlyn Ellis, Councilor, Ward 5
Laurie Chaplen, Councilor, Ward 6
Paul Shaffer, Councilor, Ward 7
Tracey Yee, Councilor, Ward 8
Andrew Struthers, Councilor, Ward 9
Mark Shepard, City Manager
Paul Bilotta, Community Development
Director

STAFF

Rebecca Taylor, HOPE Project Manager
Julie Arena, HOPE Coordinator
Maura Kwiatkowski, Recorder
Kailee Olson, Health Department
Nick Kurth, Justice System Improvement
Program Manager

STAFF

Brigetta Olson, Housing and
Neighborhood Services Manager
Alex Downing, Recorder

GUESTS

Shawn Collins, Executive Director, Unity Shelter
Ben Danley, Executive Director, Community Outreach, Inc.
Allison Hobgood, Executive Director, Corvallis Daytime Drop-in Center
Sara Ingle, President, Stone Soup

Pegge McGuire, Executive Director, Community Services Consortium
Andrea Myhre, Executive Director, Corvallis Housing First
Eileen Sansom, Executive Director, Stone Soup
Karyle Butcher
Reverend Jen Butler, First Congregational United Church of Christ
Martha May Bryson, Cofounder, Housing First Umpqua
Sheila Coxon
Peggy Lynch
Codi Mann, Press
Patrick Rollens
Roberta Smith
Marge Stevens
Jim Swinyard
Libbi Loseke Winter
Sean Ziniker

1. Call to Order

Benton County Board of Commissioners Chair Nancy Wyse called the meeting to order at 4:01 PM.

2. Introductions and Announcements

Introductions were made. There were no announcements.

3. Comments from the Public

Peggy Lynch informed that she serves on the Housing Capacity Workgroup for the Department Of Land Conservation and Development. The Workgroup is currently performing the Oregon housing needs analysis; it is possible we will receive additional assistance from the State, which could include metrics for individual communities to meet targets to take care of all community members. The analysis and report will be submitted to the Oregon Legislature; more legislation is expected in their 2023 session.

4. Review and Approve Agenda

There were no changes to the agenda, and the agenda was approved.

5. Work Session

5.1 Introduction – *Suzanne Hoffman, Benton County Health Department Director*

Hoffman reviewed the structure of the agenda. There will be key staff updates, a review of House Bill (HB) 4123, key milestones and requirements, the draft Memorandum of Understanding (MOU), and significant time for service provider presentations.

Hoffman reintroduced HOPE staff members Rebecca Taylor, Program Manager; and Julie Arena, Program Coordinator; to the Commissioners, Mayor and Councilors. Both are dedicated fulltime staff for this effort.

5.2 HOPE (Home, Opportunity, Planning and Equity) Implementation Update – Rebecca Taylor, HOPE Project Manager and Implementation Lead, Pegge McGuire, Executive Director, Community Services Consortium; Julie Arena, HOPE Coordinator; Paul Bilotta, City of Corvallis Community Development Director; Brigetta Olson, City of Corvallis Housing and Neighborhood Services Manager; Suzanne Hoffman, Benton County Health Department Director

Taylor indicated that the County, City, and local service providers have been working as a collaborative team over the last few years, and they have identified an opportunity to strengthen the coordination of key components of a sheltering system and how each partner can contribute to the implementation. Strength of coordination is required for understanding all of the components of a sheltering system. Taylor presented a graphic that illustrated the HOPE Board of Directors policy recommendations informed of the prioritization of specific resources to help build the system. Coordinated entry is a priority project over the next year.

The goal of the sheltering system is to provide organizational capacity to facilitate and coordinate providers in establishing a 24/7/365 Sheltering System for all populations with onsite resources at shelter locations to transition people out of homelessness. The purpose of a Coordinated Homeless Response System is to provide systems-level coordination, centralized communication, and strategic resource planning to support a more equitable, accessible, and responsive system for people experiencing homelessness. The key components of a successful sheltering system include Foundational Recommendations, Services Coordination, Data Improvement, Housing Options, Case Management, and a Resource Center.

Arena discussed HOPE Board Recommendation 6 and how data improvement aligns with the work being done on coordinated entry. Improved and consistent data is needed so the most vulnerable can be prioritized for open housing. This is a good example of alignment between practical implementation and policy recommendations. Sheltering units can be responsibly added without data to inform decisions and guarantee good stewardship, to make wise investments, and to ensure equity.

Collecting data, staff who are trained, incentives for clients, entering data, prioritizing people based on vulnerability, case conferencing, providers accepting referrals from coordinated entry list are all needed. A unique opportunity is available to Benton County from ROCKit, a nonprofit organization that empowers communities to use existing resources to solve problems instead of expending energy creating new ones. ROCKit provides no cost facilitation and asset mapping to counties, and there is one opening available to Benton County. They will help the County map the community's assets and gaps and create an action item list to help

work on the gaps. This assistance will position the community well to implement a process of collaboration. Staff has been working with ROCKit over the last month.

Community Services Consortium's (CSC's) McGuire discussed coordinated entry and the coordinated assessment system required by the US Housing and Urban Development Department (HUD) for Continuum of Care (CoC) program funding. HUD funding recipients must enter data into a coordinated data management system for the homeless (the County uses ServicePoint for its homeless information management system (HIMS). The Coordinated Entry list is prioritized based on vulnerability and severity of service needs. It is a low-barrier process. There are no qualifications; and it is a fully inclusive, person-centered, no delay to access emergency services, standardized access and assessment, and linked to street outreach. A standard assessment is used for ongoing planning and informing planning. The County must follow the direction of the Oregon Continuum of Care and must use an HIMS. Oregon uses ServicePoint (also known as WellSky). Benton County is part of the Rural Oregon Continuum of Care (ROCC) across 26 Oregon counties. The CoC controls the list, vulnerability assessment tool and policies for use.

It is very important to note that coordinated entry is not a wait list. The majority of clients on the list may never get housing due to the shortage of available units.

Not all local providers presenting at the meeting participate in the HMIS because the system is somewhat burdensome. Participation is not required if the service provider is not receiving HUD funds. CSC manages our tri-county HMIS system, which feeds up to ROCC and Oregon Housing and Community Services (OHCS). ServicePoint does interface with other systems, but agencies are duplicating data entry efforts because of lack of integration.

Conversations began four or five years ago about having more local control in our tri-county region and forming our own CoC. There is no previous precedent for this, but Marion and Polk Counties have withdrawn from the larger Oregon ROCC; and more discussions about that will occur going forward. It may change how our coordinated process looks.

Olson presented historical data on emergency sheltering. The number of transitional housing units has doubled since 2019, and she applauded the work of the community partners working hard on this issue. Next week, the City Council will hear about Project Turnkey 2.0 to access additional grant funds to purchase a building or hotel for emergency shelter. Also next week, a Request for Proposals (RFP) will be issued by the City for additional sheltering units; up to \$1M capital will be made available.

Olson noted that too many people do not have a safe, stable place to call home. She summarized new affordable housing options; permanent supportive housing, new affordable rental housing unit development in Corvallis, new affordable home

ownership, and the various timelines for availability. Staff will be coming to both governing bodies in the coming months regarding property tax exemptions and zone changes to bring forward to the community and possible future developers.

5.3 House Bill (HB) 4123 Coordinated Homeless Response System Pilot – *Rebecca Taylor*

Taylor provided a timeline of HB 4123 implementation, including requirements for accountability while still allowing for flexibility. The signed Memorandum of Understanding (MOU) is due October 1, 2022; the strategic plan is due July 1, 2023, and Reports 1 and 2 are due to Oregon Housing Community Services (OHSC) on November 15, 2023 and September 15, 2024, respectively.

Taylor indicated the presentation of the MOU is a collaboration in advance of the final step, bringing the MOU to both governing bodies separately for final approval and signature. The final MOU may look slightly different from the current draft if specific legal changes are required.

Lytle asked if there is a shift away from HOPE Recommendation 6. Arena indicated HOPE is not shifting away from the recommendation as they are inextricably intertwined. A successful sheltering system cannot be realized without knowing how to build it and what capacity is needed. How many units should be built, for whom, and what is the level of need? Currently, there are some individuals in the community whose needs are so high there is nowhere that can really support them appropriately. Another HOPE recommendation is that there is funding to sustainably staff a location 24/7 so that it can be successful for the participants and the rest of the community.

The integration means these topics are linked in ways that cannot be put into two separate categories. The focus is on the topic of coordinated entry rather than referring to a whole sheltering system and all the housing options in the community. What are all of the assets, where are there gaps, how should assets be matched to gaps, and then how can an action item list be developed to address the gaps that cannot be filled with existing assets?

Taylor noted one of the advantages of ROCKit is having access to what is essentially a playbook or framework; all of the tools can be replicated for other projects as they arise or others prioritized later on. To reinforce what Arena stated, there are factors that are inextricably combined and related to all the other components of a sheltering system, and so it will inform more than just strictly a data entry system or a program, but rather, as McGuire and Arena discussed, the complexity of what a coordinated entry system looks like in this community.

Malone expressed some concern about meeting the October 1 deadline for the MOU and asked whether this was a firm deadline. Taylor indicated that meetings have been held among the other pilot communities, and there has been a great deal of

conversation and requests for flexibility about deadlines that are mentioned in the grant agreement. There is no list of penalties that occur if the MOU is submitted after the deadline. Bilotta indicated staff knew it was a quick turnaround, and efforts were made to keep the wordsmithing to a minimum to make it easier to bring in other communities. The MOU structure is such that Benton County is the center, and other entities enter into the MOU with the County. An agreement is needed between Corvallis and the County by October 1; other communities can enter later. The structure of the MOU is that the requirements of HB 4123 will be followed; there is no detailed scoping in order to keep the MOU as simple as possible; specifics will come later in the strategic plan. Kerby indicated he is targeting September 20 for Board of Commissioners consideration of the MOU.

Ellis noted that at the last meeting where the Council and the Board came together, there was concern about Priority 6; getting people off the streets and into shelter or under a roof. Two concerns were expressed; including one about a seeming shift to systems being a different priority than what the Council and the Board originally expressed, that sheltering was the first priority. It appears there was a shift in priority without coming back to the governing bodies. The second concern cautioned against spending energy and time on systems, coordinating entry data, et cetera, despite still having many unsheltered people who are in very risky situations. Ellis expressed concern about moving away from the creation of actual shelter in order to focus totally on data; there must be a balance between the two.

Bilotta indicated there has not been a shift away from shelter creation. There are two different issues: the first issue is what are people spending time on, and the second issue is where does the money go? Providing shelter and options will not occur if there is no funding attached to them. The shift being seen is in how funds being put out on the street. For example, this winter, the Community Development Block Grant (CDBG) was issued for permanent supportive housing or shelter; next week's RFP is going out for shelter and housing. Some sources for funds could have gone to services but the elected officials' direction was to direct funds toward housing. The services follow to support the housing. The program has learned that it is important to know who goes first with regard to who gets the next shelter bed. Various groups are already active. and efforts are underway to better coordinate across systems and services. The State came in with HB 4123, which aligns with what HOPE is doing. Money is being targeted toward Recommendation 6; for example, Corvallis' "Mixed Use" amendment will allow 45 units of supportive housing.

Arena stated that Project Turnkey 2 is an opportunity to add shelter capacity; the diversion of time, staff resources, and funds ultimately added capacity. Bilotta noted that work on capacity is not delayed because work is being done on something else; efforts are made to balance, prioritize, and take advantage of opportunities as they arise.

Augerot noted it is very difficult to prioritize. People need to be out of the weather, but it is necessary to lay the groundwork to do the work properly over the long term. The foundation needs to be constructed before the rest of the house.

Chaplen indicated that shelter can be addressed, but the data is needed to know if the project is successful. Regarding the MOU section addressing behavioral health providers, coordinated care providers need to be involved. Several components are missing; long-term psychiatric care, drug addiction care, and behavioral health services are needed in Albany and Corvallis.

Arena stated that InterCommunity Health Network (ICHN) and Samaritan continue to work on these issues by expanding medical respite wherever possible. They are key partners in the Project Turnkey discussion model for individuals who qualify for permanent supportive housing. They have created an ICHN research institute that will be collaborating with Oregon State University's (OSU's) policy analysis lab to examine homelessness and healthcare data for the first time. Chaplen noted that multiple studies indicate mental illness and addiction are the primary drivers of homelessness, and local communities are desperate for help with these basic mental health needs.

Lytle asked if there are more single-family homes in the development pipeline beyond the DevNW units. Olsen replied indicating it was only the existing plans for the 11 single-family homes. Lytle expressed concern that certain populations are being accommodated, such as student housing; the building of transitional housing needs to increase. Olson is encouraged by the increased level of financing being provided by the Oregon Legislature. Bilotta noted that in the midterm, with climate-friendly legislation, the concept of where someone lives may not be the same. One implication is that it will shift the number of people who will be able to buy a home. Bilotta is working with the private sector and the State to begin discussions about certain liability issues the State could get into relative to condominium buildings. If 30 percent of Oregon residents are living in multifamily buildings, can those other legal issues be resolved? Policies at the State level will make land increasingly expensive, with more and denser structures being put on existing land due to tight growth restrictions going outward.

A \$200,000 single family home is not realistic for the future; so if that kind of affordability is desired, it is crucial to resolve some of the legal issues; this is work Bilotta is doing as a side project. The City Council has done a great deal of work on the legislative side this year. It takes time to do things, and obviously financing and interest rates are a consideration. With the middle housing work done last spring, which allows cottage clusters on the existing number of lots available, it may be possible to get two or three times as many buildings on the land. Some of this can be done in ownership models. The City has had some preliminary inquiries about taking advantage of that, and there will be the discussion of mixed use scheduled for the September 13 Council meeting. It is somewhat premature, however, to speculate on that effect today.

Lytle expressed concern about having a culture of renting.

Shepherd indicated he was not sure October 1 was a practical deadline for approval of the MOU. He shares others' concerns about freeing up different types of housing and issues surrounding mental health services. Shepherd believes more infrastructure is needed to address youth/college-age homelessness related to depression and mental health.

Ellis stated the more that can be done to help people own where they live, the better it will be for them and for our community.

Chaplen asked about the role of Habitat for Humanity (HFH); are they active post-pandemic? Olson works closely with HFH indicated the organization is experiencing a leadership change. HFH does have some projects in the pipeline, primarily in Philomath. Bilotta indicated HFH has been attempting to develop a specific property for some years, but legacy regulations have created challenges for that development effort. Traber indicated he would follow up with Bilotta in the near future regarding the HFH property issues.

5.4 Service Provider Updates

Shawn Collins, Executive Director, Unity Shelter

Collins reviewed the vision, mission, values, and history of Unity Shelter, which has grown significantly since the pandemic began. People come to the shelter for very basic needs: food, shower, socks, to charge cellphones, etc. Collins indicated managed camping/shelter can be thought of as the origins of Safe Camp. The program began as tents and organically grew to fenced properties and shelters. These are low-barrier shelters with basic behavior expectations, and the average stay is 45 days. There is access to case managers, as well as resource navigation with the goal of meeting needs. Transitional housing provides more options, including family-friendly shelter with higher expectations regarding behavior. These are year-round operations. There are 42 beds at the men's shelter; 22 beds at the women's shelter and moving toward 35; and the non-congregate shelter has 24 rooms. Unity Shelter also operates a hygiene center that provides food, showers, restrooms, laundry services, case management, and other services. New areas of work include an emergency hotel shelter program focused on vulnerable seniors and families (currently a waitlist) and funding support for life skills and a transition coach.

Ben Danley, Executive Director, Community Outreach, Inc.

Danley announced he would be leaving Community Outreach, Inc. (COI) in a few months. COI is not a low-barrier shelter; there are strict requirements to participate. COI receives no funding from HUD but is using the HMIS system and will utilize

the coordinated entry system because the data is very important. Program participation can range from nine months to multiple years; the program is drug- and alcohol-free, and there are different dormitories for different populations. COI partners with Oregon Youth Authority (OYA), Oregon Department of Human Services (ODHS), Samaritan, and the Veterans' Administration (VA). Services include case management such as life skills, including for vulnerable veterans who are not residents at COI facilities. COI is hiring a new case manager with American Rescue Plan Act (ARPA) funds provided through Benton County. COI has behavioral and physical health services, including medical and dental clinics and adult outpatient adult counseling. Medical and dental providers provide their services at no charge. Counselors are expensive to hire, but COI is working to do so. COI also provides child and day services, including childcare, food boxes, mail/message services, and information referral.

Allison Hobgood, Executive Director, Corvallis Daytime Drop-in Center

The goals of the Corvallis Daytime Drop-in Center (CDDC) are to assist with complex life and personal needs and to offer a community center and a safe gathering space for marginalized and stigmatized individuals in poverty by supporting people's most basic welfare needs (food, clothing, hygiene supplies, and shoes); Post Office box services; a healing-centered, lowest-barrier resource and navigation hub. Assistance is offered with lost document replacement, there is access to a telephone and technology, employment, pet advocacy and support, HIV testing, Oregon Health Plan enrollment, transportation to loved ones, street outreach, and referrals to other services.

CDDC is a lowest-barrier resource access model: first- and next-step conversations about living inside/under a roof; vulnerability indexing; referrals for emergency housing vouchers, and helping people search for transitional housing. The goal of desired expansion is to become a navigation center to address HOPE Board Recommendations 1, 3, 6 and 7. CDDC hopes for more space to amplify the "one-stop shop" service center, which includes the low-barrier shelter and respite for homeless individuals. Some components of other navigation centers include emergency respite and non-congregate sleeping spaces for vulnerable adults and access to co-located agencies/providers that offer services to clients.

Lytle highlighted community court tables as a positive, low-barrier place to connect with those who need services. Community court is a micro-judicial space where judges will help with a recommendation to move forward with expungement of a conviction or other legal options.

Hobgood indicated their funding sources are diverse: individual donors to CSC, private foundations, federal and state funding; it is a relatively typical range of funding sources.

Andrea Myhre, Executive Director, Corvallis Housing First

Myhre indicated that Corvallis Housing First (CHF) is a model based on Housing First's low-barrier approach; housing is a basic human right. CHF owns and operates 42 units of rental housing over four facilities. A variety of housing options across providers is very important. Case management services focused on housing, including rent support, are provided in collaboration with other organizations. Barriers to housing in the Corvallis community are substantial, and people of color experience homelessness at a significantly higher level than the white population. There is permanent supportive housing; but only five units exist. CHF is training staff as community health workers. Third Street Commons (Corvallis Housing First/Unity Shelter collaboration) residents are qualifying for permanent supportive housing.

The next goal of Third Street Commons is to convert another motel to serve the most vulnerable populations, including those with disabilities and behavioral health issues. Housing can be designed to fit the needs of some of the more difficult populations to house. This population is also aging, and there is a need to prepare for that type of supportive housing.

6. Questions and Answers

Napack expressed appreciation for the collaboration occurring amongst the agencies and asked about the plan for unsheltered people this winter. Collins indicated there is no hard and fast plan right now, and it will be very difficult if this situation is not changed. Greater safety and stability is needed for those who are camping. Collins shared a letter signed by a number of organizations in the community regarding safe, predictable spaces for camping to minimize the damage winter will bring (Exhibit A). Hoffman indicated Benton County Emergency Management and Corvallis Emergency Management are partnering with the public health emergency preparedness coordinator for cooling center, warming center, and smoke shelter planning to implement for this winter. However, a separate plan is needed to have a moratorium in place to limit the displacement of campers. In the absence of a specific plan for when temperatures drop, work is occurring to issue an RFP in early October for emergency weather sheltering. Emergency weather sheltering sets standard for all Oregon communities. The range of conditions that trigger their opening under very specific circumstances are generally related to temperatures and snow/rain; decisions about the criteria have not yet been made. Currently there is not the space to address the range of needs. The Egan model does not cost a great deal; this community could do it without spending a great deal of money. Service providers are needed that are able to meet the projected capacity needs of the proposal. Hoffman noted the struggle of a similar Eugene-based program that is well-established and run with a significant number of volunteers. Shepherd is very familiar with the Eugene program; it is very heavily volunteer-based, and the volunteers are well trained. Napack believes it is possible in this community, but a robust volunteer program would need to be developed as one does not currently exist.

Jancila asked a variety of questions of the various service providers, including about Unity Shelter locations at churches and the number of people on various waiting lists, the space limitations being experienced by the Drop-in Center, and the full-time staffing needs of these mostly-volunteer programs.

Lytle indicated she sees an opportunity for a policy discussions in the letter and would to have those discussions occur.

Malone asked about the need to grow the capacity of counselors and whether there are any ongoing efforts to address that need. Danley indicated that vocational opportunities are there; the need is tremendous as it is difficult to find Licensed Clinical Social Workers who can diagnose to assist the support specialists. Augerot noted there are future plans to train behavioral health specialists in Lebanon at Western University of Health Sciences.

Regarding the letter that was distributed, Struthers asked for the “bottom line.” Collins indicated the “ask” is, can this move forward, does the Council support this idea, and is it possible to have this conversation with others, including Benton County.

Wyse commended the group for its collective work.

7. Adjournment

Benton County Board Chair Wyse adjourned the Joint Work Session at 6:08 PM.

APPROVED:

APPROVED:

Nancy Wyse, Chair
Benton County Board of Commissioners

Biff Traber, Mayor
City of Corvallis

ATTEST:

Maura Kwiatkowski, Meeting Recorder

HOPE Implementation Update

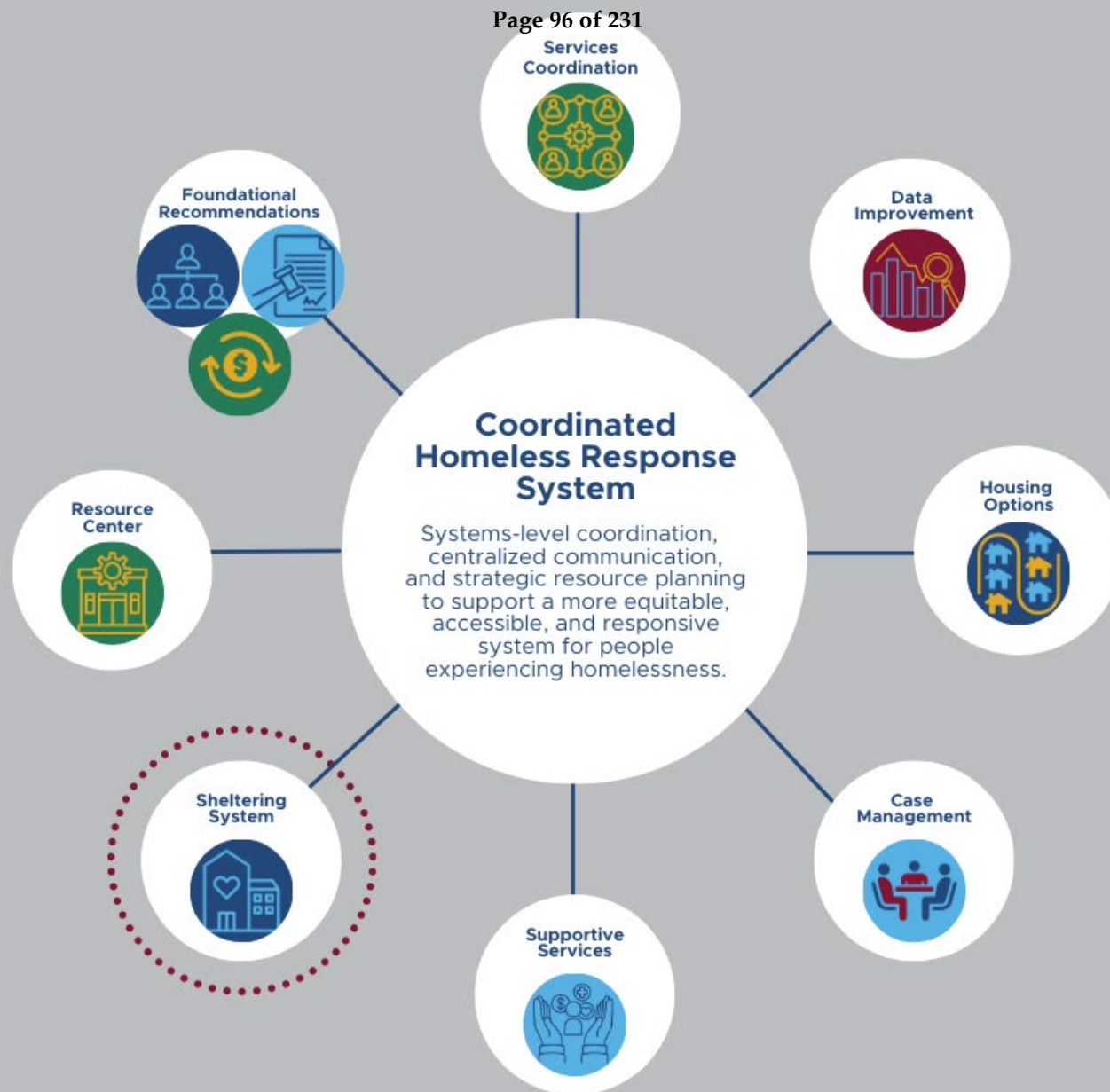
September 8, 2022

Sheltering System



Provide organizational capacity to facilitate and coordinate providers in establishing a 24/7/365 Sheltering System for all populations with onsite resources at shelter locations to transition people out of homelessness.







Community Services Consortium

Pegge McGuire, Executive Director

pmcguire@communityservices.us



Coordinated Entry/Coordinated Assessment System

Required by HUD of Continuums of Care under 24 CFR 578.7 (a)(8) for use with ESG and any CoC program funding to achieve:

- Allocation of assistance in the most easily accessible manner
- Prioritization of assistance based on vulnerability and severity of service needs
- Some specialized sub-populations processes allowed (e.g. vets, youth, fleeing DV, SUD, disabilities, etc.)

Prioritization for any type of assistance

Low-Barrier

Housing First orientation

Person-Centered

Fair and equal access

No delay for access to emergency services

Standardized access and assessment

Inclusive

Linked to street outreach

CE Basics

- On-going planning and stakeholder consultation for improvement required
- Informs local planning and processes
- Uses an approved Homeless Management Information System (HMIS)
- Must cover full COC region (**ROCC-Balance of State 26 counties**)-oregonbos.org
- **Baker, Benton, Clatsop, Columbia, Coos, Curry, Douglas, Gilliam, Grant, Harney, Hood River, Josephine, Klamath, Lake, Lincoln, Linn, Malheur, Morrow, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco, Wheeler, and Yamhill**
- Defines central prioritizing principles (1 or 2) for most effective use of resources
- Prevents those with severe needs from languishing in shelter or on streets
- Continuum controls list, vulnerability assessment tool, and policies for use

Not a waitlist! The majority of clients on the list will NEVER be served due to lack of available housing options.



Recent Changes

- All-ROCC list
- 90 day “Active” list will serve as referral list
- Case Conferencing
- New features may be available in HMIS (Servicepoint/Wellsky)

Callpoint

Shelterpoint

Eligibilitypoint (income eligibility only)



Local Conversations

- Not all providers using HMIS
- Unhoused PIT count individuals not in HMIS
- Desire to use a more equitable vulnerability assessment (VI-SPDAT is now dictated by ROCC)
- CSC manages our tri-county HMIS system (which feed up to ROCC and OHCS)
- Case Conferencing processes still being discussed
- Servicepoint does not interface with other systems like Unite Us, Shelterware, Apricot
- Our own CoC would allow greater control over key decision-making points
-

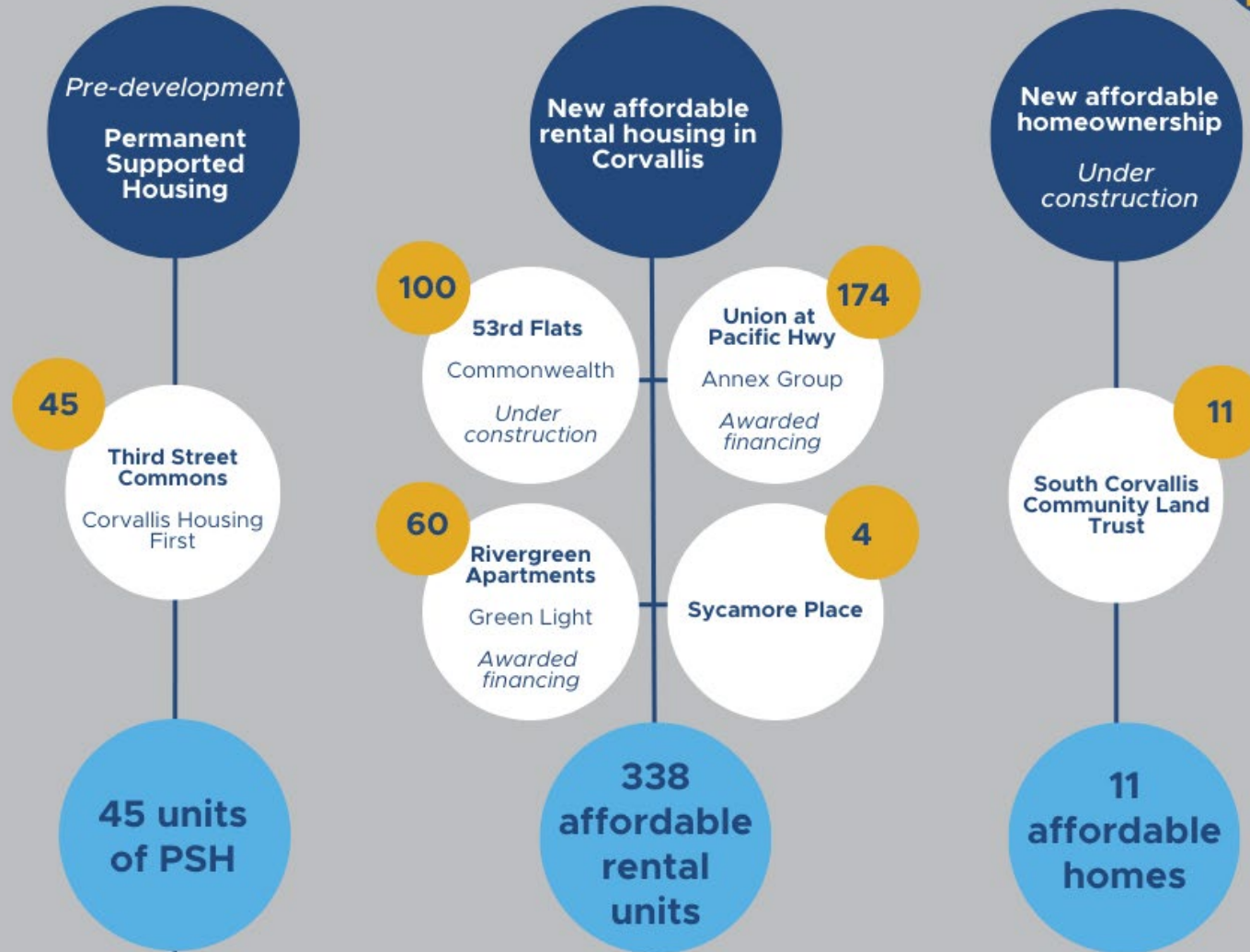
Sheltering Options

Emergency
Shelter

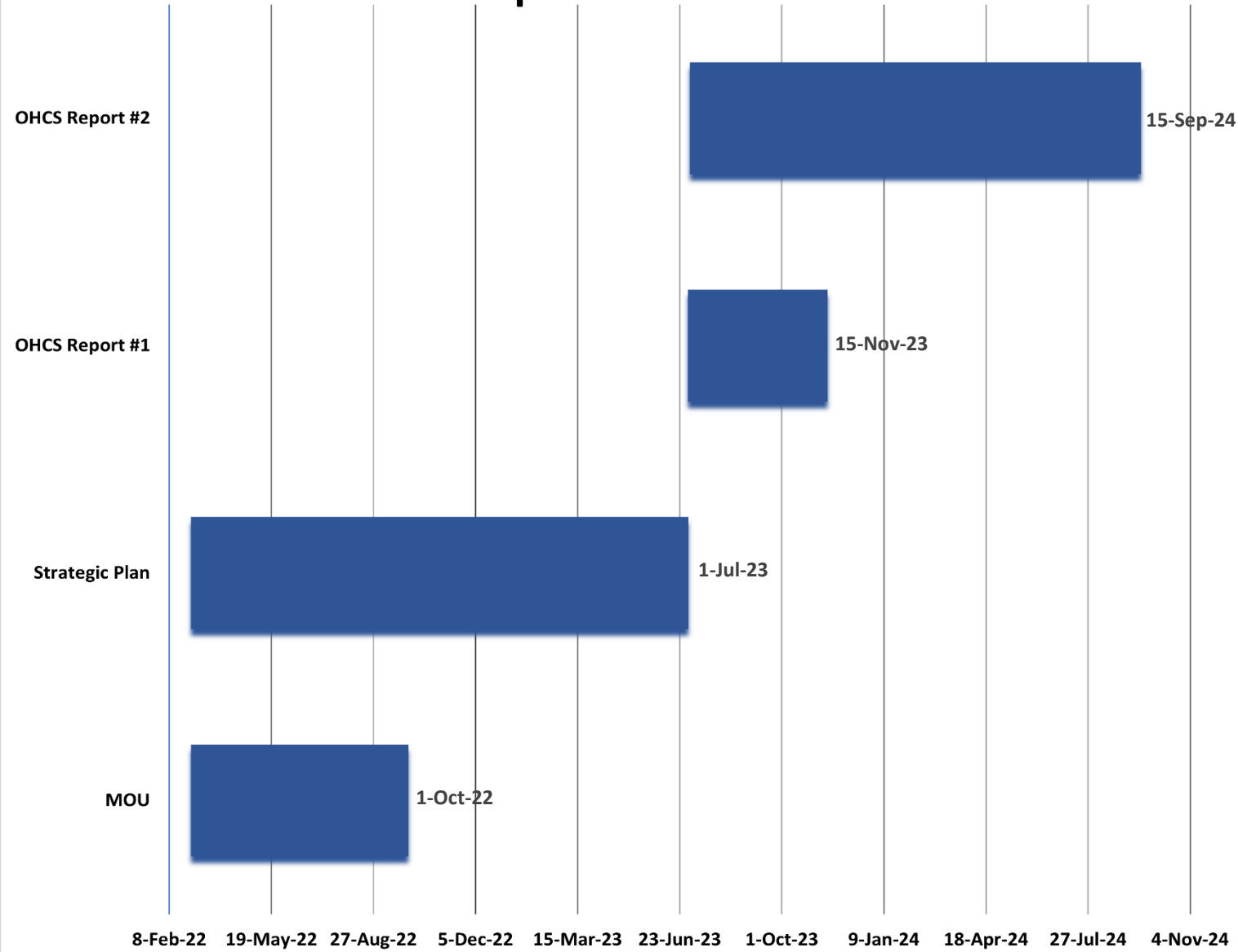
Transitional
Housing



Affordable Housing Options



HB 4123 Implementation Timeline





**Benton
County**



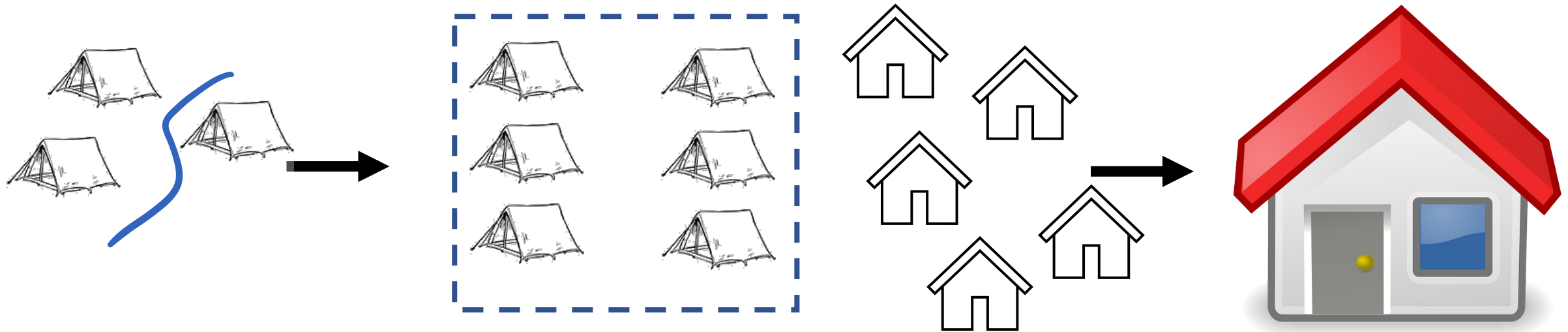
Unity Shelter: Responding to Needs, Integrating Successful Programs

- **Vision:** Unity Shelter envisions a community where lack of housing or shelter is rare, brief, and nonrecurring, and where all people have a safe and stable place to live, connect, and thrive.
- **Mission:** Providing Safe Shelter through Collaborative Care
- **Values:** Humans live in the shelter of one another - in communities of belonging or in spaces of social abandonment.

Unity Shelter recognizes belonging as a primary human need and so our efforts to create collaborative, safe shelter necessarily involve cultivating communities of care between our neighbors, staff, volunteers and partners. Unity Shelter is a community in-service to others.

We value relationships of equity where the inherent purpose, dignity, and wisdom of each individual results in mutual support and collaborative care.

Building blocks on path to housing



UNITY SHELTER FOCUS

Unsheltered/Camping

- Unsafe and unstable
- Limited access to services
- Need food, potable water, sanitation, temp, hygiene supports

Managed Camping/Shelter

- Behavior expectations
- Consistent access to services
- Safe, Stable environment
- Accountability, Supports, Managed Costs, Case Management

Transitional Housing

- Family-friendly options
- Higher expectations of behavior and progress
- Stronger case management

Permanent/Supported

- Long term supports
- Stable rental/lease environment
- Case management and wrap-around services support progress

STRONGER SUPPORTS/PROGRESSIVE EXPECTATIONS

Harm Reduction > Outreach > Case Management > Connection to Services > Training & Education

Unity Shelter Programs

Currently: 88 Shelter beds, 31 Transitional Housing microshelters
Shelter beds will increase to 109 as COVID conditions allow

Unity Shelter operates low-barrier emergency overnight and 24/7 shelters for men, women and couples in three different locations in Corvallis.

The low-barrier SafePlace transitional housing program serves men, women and couples in microshelters in 6 locations, primarily through partnerships with local churches. Expectation of engagement with case management is part of the program and has proven successful in supporting progress along transition to housing.

Since March 2020, Unity Shelter has also operated the Hygiene Center to provide services to those living without shelter.

Unity Shelter Program Details

Congregate Shelter: Shared space, showers, laundry, case management, resource navigation, food

- **Men's Shelter:** 42 Beds, 266 served since Jan 2021, over 12,500 bed nights
- **Room at the Inn women's shelter:** 22 Beds, 149 served since Jan 2021, over 11,600 bed nights

Non-Congregate Shelter: Private rooms with bathroom and shower, shared kitchen space, laundry, case management, resource navigation

- **Third Street Commons:** 24 rooms for singles/couples, includes 3 respite rooms, 78 served since May 2021, 27 of those COVID isolation cases, over 10,000 bed nights. 7 have moved into housing

Transitional Housing/Microshelters: Private rooms, shared bathrooms, shower/laundry access and shared food prep space varies by site, case management, resource navigation

- **SafePlace:** 31 microshelters, 58 served, 29 into housing or other programs since Jan 2021. Since July 2019, when Safe Camp began, 86 have been served, and 48 have moved into housing or other programs

Hygiene Center: Food, showers, bathrooms, laundry, device charging for unsheltered men and women in the community, with access to case management. 851 served since Jan 2021, over 20,000 meals, over 6600 showers, over 1800 loads of laundry



Unity Shelter New Developments

Unity Shelter has started a limited capacity Emergency Hotel Shelter Program, focused on vulnerable seniors and families in need of shelter, who may not be able to get into other shelters due to capacity or other issues. We are limiting this to 5 rooms at a time, so we can provide adequate support to those in shelter. Thanks to Community Services Consortium for supporting this much needed capacity. Contact Tara@unityshelter.org to discuss referral process.

Unity Shelter has also received support from OCF and other funders to create a “life skills and transitions coach” to support those moving from shelter or transitional housing into permanent housing. A position description should be posted in the next week on Indeed and linked on our social media (Facebook @unityshelterinc and Instagram @unity.shelter).



*Helping people help themselves lead
healthy and productive lives.*

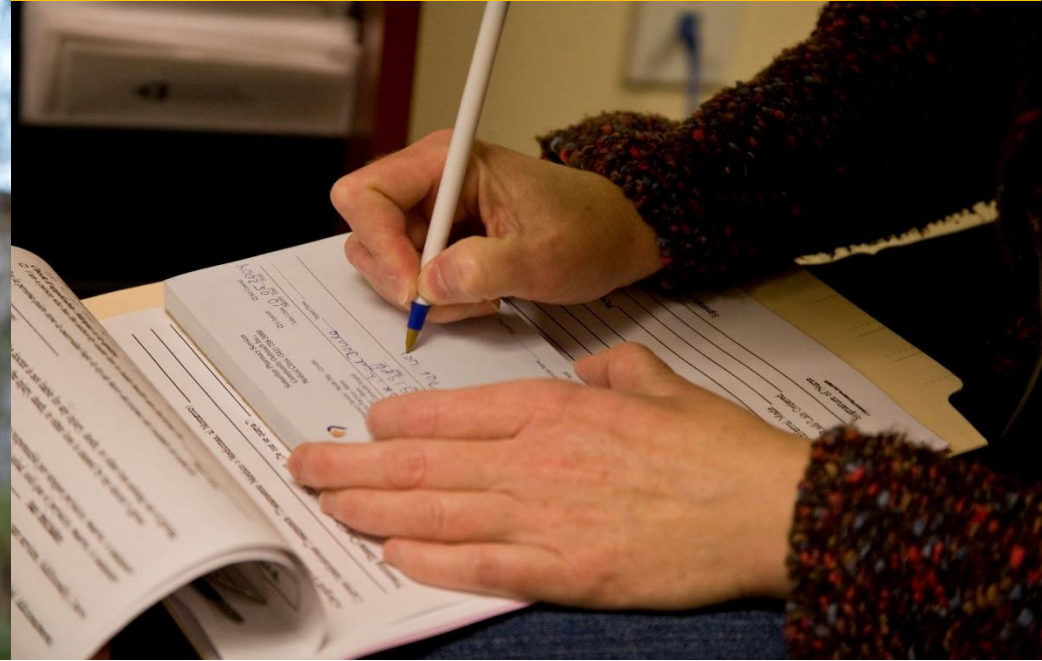


Housing and Case Management

Transitional housing
Men, women, families, young adults
Drug and alcohol free, behavior based
Average time to successful completion – 9-12 months

All residents receive case management and life skills classes.
Additional case management services for vulnerable veterans in community

*“I was homeless. I almost died.
COI is one of the greatest things that has ever come into my life.
No matter how downtrodden you are, there’s always hope.”*



Behavioral and physical health

Outpatient counseling services for adults
Alcohol and drug use counseling
Offered to any under or uninsured community members (COI residents are ~1/3 of client base)

Medical clinics – held in Corvallis, Lebanon and rural areas
Dental clinics – Albany (LBCC)
All volunteer providers

*“Mindfulness was a big part of why I survived.
If I think of the past, I get depressed. If I think of the future, I get anxiety.
If I think of the ‘here and now,’ I feel safe.”*



Children and Day Services

Mari's Place childcare 6 weeks – 4 years
Unique needs of homeless or highly transient families
Nature based - getting children outdoors and bringing nature indoors

Community food box distribution
Mail, message service
Information and referral

*"This is the best school I've ever known, and my kids are so attached to it.
The staff here, I feel like they are my family."*

Questions?



Ben Danley | 541-758-3000 | bdanley@communityoutreachinc.org

Corvallis Daytime Drop-in Center



CDDC is
“where
needs are
met”

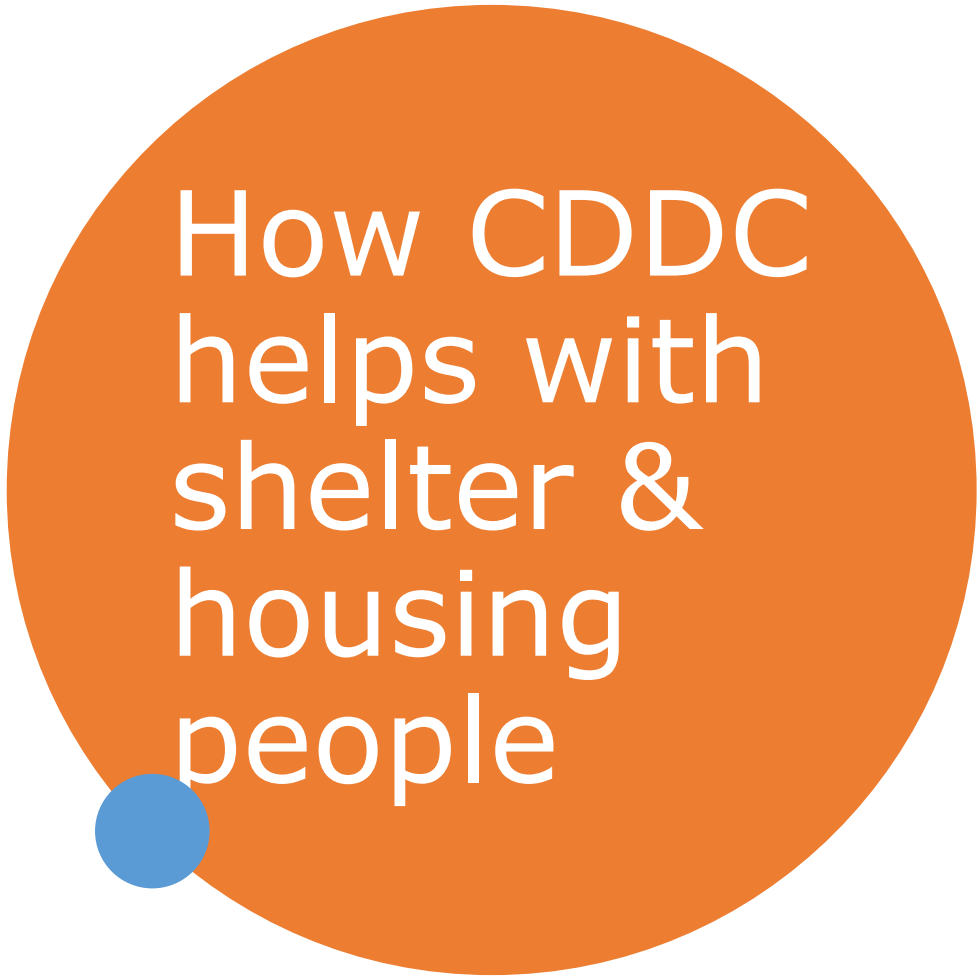
**community center and safe
gathering space**

**supporting people's most
basic welfare**

**healing-centered, lowest
barrier resource and
navigation hub**

Resource and wellness supports offered at CDDC

- * mental health counseling
- * physical health support like wound care, HIV testing, and OHP enrollment
- * assistance with prescription copays
- * lost document replacement—IDs, birth certificates, etc
- * access to employment
- * accessing phones and technology
- * pet advocacy and support
- * access to transportation to loved ones
- * direct street outreach
- * referrals to other social service organizations



How CDDC helps with shelter & housing people

- First and next step conversations about housing, shelter, and living indoors
- VI-SPIDAT Coordinated Entry
- Connections to HUD and LBHA
- Referrals for emergency housing vouchers
- Direct connections, as well as case conferencing, with Unity Shelter and CHF caseworkers
- Help with searching for available housing and rental spaces

Navigation Center to increase & maximize intervention impact

Modelled after Centers around OR via House Bill 2006; addresses HOPE Board recommendations 1,3,6, and 7

Supports include:

- * Drop-in Center + low-barrier, emergency respite & non-congregate sleeping spaces
- * amplified, more comprehensive basic needs navigation and wrap around mental and physical health services
- * access to co-located agencies/providers that offer services to Center clients as well as the greater community: a one stop shop!



CDDC points of contact

Allison Hobgood, Executive Director

Allison.Hobgood@gmail.com

541-224-7578

CDDC direct number for support and resources: 458-233-5327

Website: <https://corvallisddc.org/en/>



Vision Statement:

A roof over every head.

Mission Statement:

Providing solutions for ending homelessness & achieving self-sufficiency.

Foundational Belief:

Housing is a basic human right, not a reward for clinical success. Once homelessness is eliminated from a person's life, clinical and social stabilization occur faster and is more enduring.





Corvallis Housing First addresses homelessness by:

Owning and operating 42 units of rental housing at four facilities (Van Buren House, DeDe's Home, Partners Place, Sycamore Place) which are all supportive Housing First projects for persons experiencing homelessness. Generally, between 70-80% of our residents remain in housing or move to other permanent housing.

Providing case management in partnership with other organizations, primarily Unity Shelter, but also the Daytime Drop-In Center, focusing on stabilization and housing.



Seven standards of the Housing First approach:

1. Move people into housing directly from streets and shelters without preconditions of treatment acceptance or compliance.
2. Provider is obligated to bring robust support services to the housing. These services are predicated on assertive engagement, not coercion.
3. Continued tenancy is not dependent on participation in services.
4. Units targeted to most disabled and vulnerable homeless members of the community.
5. Embrace a harm reduction approach to addictions rather than mandating abstinence. At the same time, the provider must be prepared to support resident commitments to recovery.
6. Residents must have leases and tenant protections under the law.
7. Can be implemented as either a project-based or scattered site model.



Why Housing First?

- **Housing First has been proven to be successful in helping people who have formerly been homeless stay housed and increase stability, health, decrease costs to the community.**
- A 2021 study found that Housing First programs decreased homelessness by 88% and improved housing stability by 41%, compared to Treatment First programs.
- While an earlier study found no difference in treatment outcomes between Housing First and high-barrier programs, some more recent studies indicate that Housing First participants are more likely than others to report reduced usage of alcohol, stimulants, and opiates.
- A 2015 study found that Housing First programs are more effective at increasing outpatient service utilization, as well as outreach to and engagement of clients who are not appropriately served by the public mental health system.
- Housing First can reduce healthcare and other costs. Studies also show that Housing First reduces hospital visits, admissions, and duration of hospital stays among homeless individuals, and overall public system spending is reduced by nearly as much as is spent on housing. The average cost savings to the public ranges from \$900 to \$29,400 per person per year after entry into a Housing First program.

*** Taken from National Low Income Housing Coalition website- <https://nlihc.org/sites/default/files/Housing-First-Research.pdf>*

What is Permanent Supported Housing?

- PSH is an intervention that combines affordable housing assistance with voluntary support services to address the needs of chronically homeless people.
- This approach has been shown to greatly reduce costs associated with people who frequently utilize emergency services
- We have very limited PSH in our community – ongoing rent support and funding for services is very rare



Breakdown of client housing placements CHF CM staff facilitated between July 2021-July 2022:

Permanent Housing

Van Buren – 5
Sycamore - 6
Partners - 3
Dede's - 1
Dawn's – 2
Outreach - 12

Transitional Housing/Shelter

SafePlace - 12
TSC – 5

Total = 46 (29 Permanent Housing, 17 Transitional Housing/Shelter)

Collaborating for Shelter, Temporary Housing: Third Street Commons

Andrea Myhre, Executive Director, Corvallis Housing First

Shawn Collins, Unity Shelter



Project Turnkey overview

- 55 Million allocated by the State of Oregon EOC to purchase motels/hotels for emergency non-congregate shelter for houseless, fire victims, passed to Oregon Community Foundation
- CHF was one of the first to apply/be awarded of non-fire counties
- Purpose is to provide shelter, eventually Permanent Supported Housing
- Shelter is operated by Unity Shelter, property owned, office space occupied by CHF
- Currently offers 24 rooms with their own bathrooms, a community kitchen, laundry facilities 
- Funded by Emergency Services Grant (HUD State of Oregon  Housing and Community Services Community Services Consortium CHF and Unity Shelter) – total investment of approx. 3 million

Who is living there?

- Adults experiencing homelessness, likely chronically homeless, disabled, vulnerable, overrepresented (BIPOC and LGBTQ), wanting to be in shelter/housing
- Joint waitlist with Unity Shelter, CHF, Coordinated Entry system
- Have provided COVID quarantining and isolation space for people who are homeless
- Currently, there are 3 respite rooms on site, sponsored by Samaritan Health Services

What is the operation model?

- Until the site can be developed into PSH, 24-7 staffing support and supervision is provided by Unity Shelter, CHF provides Case Management services, as well as provides facilities support.
- Clients on site can stay in their rooms without having to leave for a period of time each day.
- Similarities to Safe Camp program/partnership structure, with some exceptions
- We anticipate this partnership ending when we prepare the site for the new facilities in 2024. Residents will be placed in other housing before this point, or offered other temporary housing while the units are being developed

Results and outcomes

- Since opening in Spring 2021, we have served 78 individuals, with over 10,000 bed nights
- 27 have been provided COVID quarantine/isolation space
- 7 clients have moved into permanent housing
- 3 people asked to leave

Next Phase of Third Street Commons – PSH Development

- Opportunity to apply for capital funds through Oregon and Federal legislative process
- State of Oregon Lottery Bond Funds – 5 Million, Congress – Infrastructure Bill – 3 Million = 8 million
- End result = 30-40 units of 1-bedroom, studio apartments for PSH, very low-income individuals, couples
- Have hired a development consultant, are solitciting proposals from builders
- Wrapping up participation in the Oregon Supportive Housing Institute, gateway to additional funding



EXHIBIT A

September 8, 2022

Corvallis Mayor and City Council,

As fall approaches, the undersigned members of the service provider community are concerned about the conditions unsheltered people in our community face and seek support for change. Beyond the realities of camping in inclement weather, the fact that there is no place in Corvallis to camp which is not likely to be posted and cleared creates additional stress and uncertainty for those in our community who are without housing or shelter.

The impact of camping as it is now on those who camp is poorer health, limited safety, limited connections to services, a loss of dignity, and a complete lack of the stability needed to begin to engage in positive steps forward toward greater health and housing. For the community, the impact is visible trash, damage to parks space, perceptions of unsafe conditions, and both direct and indirect financial costs. For Corvallis as an entity, it impacts budget, workload, creates a variety of safety and health issues which impact all, and probably has an impact on economic vitality/tourism/etc.

It is critical to begin looking at harm reduction approaches – how to reduce the harms of unmanaged, unsanctioned camping for those who are camping and the broader community. A “rolling moratorium” on camp posting/clearing could create an environment where there were clearly identified places to camp for a specific period and offer a path to the “next spot” as one location’s moratorium ended. This would not “legalize” camping, but would offer safe, predictable spaces where camping could take place for more than the current overnight sleeping program allows.

The organizations identified below believe that such an approach would reduce the harm to both unhoused/unsheltered and housed community members and encourage the Corvallis City Council to enact such a rolling moratorium in partnership with City and County organizations and the non-profit service community.

Shawn M Collins
Executive Director, Unity Shelter

Andrea Myhre
Executive Director, Corvallis Housing First

Allison Hobgood
Executive Director, Corvallis Daytime Drop-In Center

Ilene McClelland
Executive Director, Vina Moses Center

Jason J. Dorsette
President, Linn Benton NAACP

Rev. Jennifer Butler
First Congregational United Church of Christ

Rev. Jill McAllister
Unitarian Universalist Fellowship of Corvallis

Mike DeMaio
St. Vincent de Paul of Corvallis

Kate Caldwell
Executive Director, Center Against Rape and Domestic Violence (CARDV)

Ann Craig
Executive Director, Jackson Street Youth Services

Sara Ingle
Board Chair, Corvallis Stone Soup

Maddison Bean
Coordinator, CDDC Street Outreach & Response Team

Rev. Linda Tucker
First United Methodist Church, Corvallis

Ruth Krueger, Minister
Episcopal Church of the Good Samaritan, Corvallis

Rev. Matt Gordon
First Christian Church, Corvallis

Camping on public property in Corvallis is currently illegal, and opportunities to create legal camping spaces on private property are limited by high property acquisition costs, and the cost to operate a managed camp with 24/7 staffing. It has been suggested by City staff that offering legal camping on City owned property is not possible for liability and insurance reasons.

The impact of camping as it is now on those who camp is poorer health, limited safety, limited connections to services, a loss of dignity, and a complete lack of the stability needed to begin to engage in positive steps forward toward greater health and housing. For the community, the impact is visible trash, damage to parks space, perceptions of unsafe conditions, and both direct and indirect financial costs. For Corvallis as an entity, it impacts budget, workload, creates a variety of safety and health issues which impact all, and probably has an impact on economic vitality/tourism/etc.

In the absence of safe, affordable housing and shelter capacity (including managed camping), it's critical to begin looking at harm reduction approaches – how to reduce the harms of unmanaged, unsanctioned camping for those who are camping and the broader community. The barriers to establishing legal camping on public or private ground are great – but there are paths to create greater safety, health, and stability for those camping in our community that do not require establishing sanctioned or managed camping sites.

A “rolling moratorium” on camp posting/clearing could create an environment where there were clearly identified places to camp for a specific period and offer a path to the “next spot” as one location’s moratorium ended. This would not “legalize” camping, but would offer safe, predictable spaces where camping could take place for more than the current overnight sleeping program allows. This might take shape as follows:

- Specific parks would be identified as “not to be posted/cleared” for specific time periods appropriate to the site and season. At the end of that period, it would be clear which park area would be next on the rolling moratorium, and support from non-profit providers and volunteers would be offered to assist in movement from one site to the next.
 - o Specific areas in a park would be identified which aligned with the guidelines of the “overnight sleeping” guidelines for parks. Camps adjacent to play structures or paths would be discouraged by service provider partners and be at risk of posting.
 - o Parks to be considered would ideally have minimal flood risk, adequate flat ground, existing infrastructure such as bathrooms and potable water sources, and be near transportation options.
 - Parks should be considered relative to season – so it may be possible to designate a “dry season” use of an area which would present a flood risk in the October-April period.
 - We propose that in community with City/County and other partners, a discussion of park locations and conditions be held.
- A specific time frame for a moratorium in any location would be clearly communicated and would be at least 30 days and as long as 6 months, with details to be worked out with Parks & Rec. During that period, posting and clearing of camps would be limited to only those camps that were established in proximity to play structures, paths, or other sensitive areas.

- Supports for those camping in a particular area would be enhanced as they would be for any high-use park area.
 - o Increased availability of toilets
 - Gender specific portable toilets within 70 feet of any camped area, with handwashing stations, serviced regularly
 - Could be paid for with a combination of City/County and donation support
 - Non-profit service providers could commit to a level of support/fundraising
 - o Increased availability of trash receptacles and pickup
 - Could be paid for with recent \$250,000 grant to City of Corvallis for enhanced trash services
 - o Increased availability of potable water
 - Leverage existing city infrastructure and enhance with tanked water and dispensing infrastructure as needed
 - o Beyond this, the following are recommended:
 - A designated “service area” where regularly scheduled visits by area service providers would be held. These visits could include connection with case managers from partner agencies, outreach from SORT, and clinical services such as vaccinations and harm reduction work. Delivery of basic supplies, including medical supplies, food and clothing, and support for pets can be made from this service area.
 - A designated smoking area and tent to allow a dry common social space.
 - Locked storage, either long term or on a regularly scheduled basis to allow safer exits from the camped area to seek services, food, etc.
 - Visits from a shower/laundry trailer to be offered by Unity Shelter.
- Partnerships needed to support this effort
 - o Law enforcement would need to be a regular presence in the area to ensure safety for both campers and the broader community. Focus would be on effective relationship building/community policing as it would be for any high-risk neighborhood.
 - o Benton County Health: Harm Reduction, Health Navigation, and clinical supports for mental, physical, and behavioral health would be needed.
 - o Local faith communities: material support of those camping, volunteer efforts to ensure positive site conditions
 - o Non-profit service providers & volunteers: On-site engagement through SORT, and other providers to offer service engagement/assessment opportunities, ensure connections to services are being made, and material support. Clean up & move support at exit.
 - o Samaritan Health Services Homeless Resource Hub will support patients in any locations chosen.
 - o CHANCE Peer Support will support clients in any locations chosen.
 - o Partnership with those who camp: Enlisting leaders from the community who are camped in an area as partners can help ensure conditions are maintained, conflicts are minimized and addressed quickly, and communications are effective between campers, service providers, law enforcement and the community at large.

PROCLAMATIONS



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

**In the Matter of proclaiming October)
2022 as The Great Oregon ShakeOut) PROCLAMATION P2022-019
Month in Benton County)**

The threat of the Cascadia Subduction Zone earthquake will greatly affect the entire region including the residents of Benton County, Oregon.

The U.S. Department of Homeland Security and Federal Emergency Management Agency (FEMA) has identified the Cascadia Subduction Zone earthquake as a major national-level threat.

When individuals take responsibility for preparing their families and their communities, the chance of survival and return to normalcy following a disaster is greatly increased.

The Great Oregon ShakeOut was designed to bring awareness of the threat of both crustal and subduction zone earthquakes.

The Benton County Sheriff's Office – Emergency Management Division partners with federal, state, local, tribal, territorial, private, and volunteer agencies to inform individuals on how to take action, through our public education campaigns, and community exercises.

Residents, businesses, and visitors of Benton County, Oregon are urged to plan ahead for all disasters and encourage their family and their friends to also do so by participating in annual readiness events and drills.

Benton County Emergency Management and the Benton County Emergency Operations Center staff will participate in the National-level Exercise, Cascadia Rising 2022.

THEREFORE, BE IT PROCLAIMED by the Benton County Board of Commissioners October 2022 as the Great Oregon ShakeOut month, and encourage all community members, businesses and visitors to develop their own emergency preparedness plans and practice basic earthquake safety drills such as "Drop, Cover, and Hold On" on *October 20st at 10:20am PST*.

Adopted this 4th day of October, 2022.

Signed this 4th day of October, 2022.

BENTON COUNTY BOARD OF COMMISSIONERS

Nancy Wyse, Chair

Pat Malone, Commissioner

Xanthippe Augerot, Commissioner

Drafted by Bryan Lee, Benton County Emergency Manager
Read by Bryan Lee



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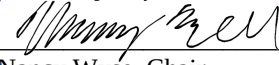
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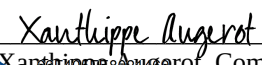
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BENTON COUNTY BOARD OF COMMISSIONERS

DocuSigned by:

 Nancy Wyse, Chair
 DocuSigned by:

 Pat Malone, Commissioner
 DocuSigned by:

 Xanthippe Augerot, Commissioner

Drafted by Bryan Lee, Benton County Emergency Manager
 Read by Bryan Lee

PUBLIC HEARINGS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 10/04/22 and 10/18/22

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Public Works

Contact Name * Gary Stockhoff

Phone Extension * 6010

Meeting Attendee Name * Gary Stockhoff, Jim Maitland, FEI

Agenda Item Details



Item Title * Public Hearing to consider protest of contract award for Geotechnical Services

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 * 25 minutes

Board/Committee Involvement *

☐ Yes

☒ No

☒ Yes
☐ No

Advertisement*

Names/Dates of Publications

List each publication name and date

Gazette Times, September 20, 2022 for a
Public Hearing

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

Benton County issued a Request for Proposals (RFP) for the Benton County Justice System Improvement Program, Document RFP #2022-1961C, on July 28, 2022, per Exhibit 5 - RFP. Proposals were due by 3 PM August 18, 2022. A total of seven (7) proposals were received and subsequently evaluated.

The proposals were evaluated by three different reviewers and scored independently in accordance with the provisions stated in the RFP and as outlined in ORS 279. The average scores for each responder are attached for reference. (See Exhibit 2 – Evaluation Committee Scoring and Exhibit 5 - RFP, Sections 2 and 3, pages 2-4, for proposal requirements and evaluation criteria).

A Notice of Intent to Award was sent to the unsuccessful proposers in accordance with ORS 279B.135, and OAR 137-047-0610. This notice provides for an unsuccessful proposer to protest the award of the contract associated with the RFP in question. A formal protest was received from Foundation Engineering, Inc. (FEI) within the prescribed seven-day protest period. The protest memorandum submitted by FEI is attached for reference (Exhibit 1 – FEI Protest of Award). In summary, the basis of the protest is FEI was treated unfairly and with bias based on the fact they did not receive 25 out of 25 points in the Local Experience category and that other firms received more points than they should have.

The County prepared a response (Exhibit 3 – County Response) to the protest and subsequently presented that response to the proposer at a meeting held on September 7, 2022. The County rejected the protest because the County did follow the criteria prescribed in the RFP and in accordance with the applicable ORS requirements.

After evaluating the County's response, the proposer desired to proceed with the protest. Per Exhibit 6 - Benton County Code ch. 2.805, a protest of this nature is heard by the Board of County Commissioners at a public hearing.

Restating the conclusions reached in the County's response to the protest:

1. The proposals were independently evaluated with no insight into the other evaluator's scores. Those scores were collected and averaged to create a final score and were done with a fair and non-biased methodology that met the applicable ORS criteria.
2. This RFP was a Qualifications Based Selection (QBS), which was documented in Section 3 of the RFP. Benton County reviewed and ranked each submittal and decided interviews were not necessary to award the proposed contract. The County reserves the right to select the most qualified firm based solely on the information provided in the submittal.
3. The County was not unfair or biased toward FEI by not awarding the full 25 points available in the "Local Experience" category. Furthermore, the County did not elevate scores of other submittals in the "Local Experience" category. FEI received the highest score of any the submittals in this category and was only one point below the maximum allowable points. Therefore, this assertion is baseless and cannot be substantiated.

Options *

The Board of County Commissioners' decision on the validity of the protest is final. If the protest is rejected, staff will immediately commence with contract negotiations with the successful proposer. If the Board finds merit in the protest, then rejecting ALL proposals and reissuing the RFP will be recommended.

Fiscal Impact *

- ☒ Yes
☐ No

**Fiscal Impact
Description***

There is no potential fiscal impact unless the Board of Commissioners determines the protest has merit, all bids are rejected, and a new RFP is issued. The County would incur additional charges from the consultant assisting with the project and any costs for advertising. Additionally, it would delay the design from going forth on the present schedule.

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 the protest be rejected and the County proceed with contract negotiations with the successful proposer.

Meeting Motions *

I move to ...

...reject the protest submitted by FEI and that contract negotiations with the successful proposer commence.

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.

Exhibit 1_FEI Protest of Award_Aug 29 2022.pdf	1.11MB
Exhibit 2 - Evaluation Committee Scoring.pdf	91.96KB
Exhibit 3 - County Response to FEI Protest.pdf	82.4KB
Exhibit 4 - Notice of Public Hearing protest of contract award 9-20-22.pdf	167.43KB
Exhibit 5 - RFP - Courthouse geotech 2022.07.21 - Final Combined.pdf	493.31KB
Exhibit 6 - Chap 2 Contracts - Section 2.805 Appeals.pdf	73.4KB

Comments (optional) If you have any questions, please call ext.6800

Department Approver GARY STOCKHOFF

Comments

Signature



Gary Stockhoff

Approvals Required ☒ Counsel

☒ Finance

☐ HR

Counsel Approver VANCE CRONEY

Finance Approver RICHARD CRAGER

**County
Administrator
Approver** MAURA KWIATKOWSKY

Comments

Counsel Approval

Page 150 of 231

Comments

Signature

Vance H. Choney

Comments

Signature

Rick Crager

County Administrator Approval

Comments

Signature

Manna Kwiatkowski

Comments

Signature

Aranda Matepeace



Date: August 29, 2022

To: Gary Stockhoff, Public Works Director
Benton County Public Works

From: James K. Maitland, P.E., G.E.

Subject: Protest of Award or Disqualification to PR2022- 1961C

Project: Benton County Justice System Improvement Program

Foundation Engineering, Inc. is formally protesting the intent to award of the geotechnical engineering services for the Benton County Courthouse project. The reason for the protest is based on a demonstrated bias toward local firms (Foundation Engineering, Inc.) relative to out-of-town firms (all other firms). For sake of brevity, we have selected only one RFP category to illustrate our assertion.

The RFP submission requirements under the subtitle "Local Experience" requested that firms *"describe your previous work experience performing local geotechnical services on similar projects. Include experience working directly with the City of Corvallis and Benton County."*

As described in our submittal, Foundation Engineering, Inc. has had a sustained presence in Corvallis since 1982. During those 40 years, we have completed 409 projects in Benton County, 331 of which, were in Corvallis. A complete list of those projects is attached. This list does not include five additional years of Jim Maitland's local experience as an owner of a previous geotechnical firm.

We are confident there is no other consulting firm with similar local experience. We also indicated in our submittal that we have geotechnical experience near the subject site. For example, Foundation Engineering has completed geotechnical investigations for nearly all major buildings along Circle Blvd. east of the Hwy 99W and other nearby sites. Selected examples include the (former) K-Mart, Safeway, Carmike Theaters, (former) Staples, Big 5, AccuFab, Alliance Storage, the apartment complex along the railroad tracks, and Videx (which is across the street from the site).

The RFP also requested a description of work experience with the City of Corvallis and Benton County. Foundation Engineering has decades of experience working directly for the City and the County. For the sake of brevity, we have not attempted to list them all, however numerous examples may be found in the attached list.

The RFP awards up to 25 points for this category. It is our assumption that the firm with the most experience working locally and working directly with the City and County would be awarded the full 25 points and would represent the reference for scoring other firms. However, the scoring indicates our firm was awarded 24 points. We cannot understand the basis for this reduction.

We assume the scoring for points in the category of local experience would be in some proportion to the number of actual local projects and the actual previous and current experience working directly with the City of Corvallis and Benton County. As discussed below, however, the actual scoring appears to be arbitrary and inconsistent with the stated requested information.

The NV5 submittal (p.4) states: "NV5's geotechnical group has not worked much for the City of Corvallis (and **none** for the County)". Below that statement they list **9** local projects. Foundation Engineering has completed more projects near the site than NV5's over local experience. Their total local project experience amounts to **2.7%** of Foundation Engineering's Corvallis experience and **2.2%** of our County experience. Their direct experience with Benton County is **0%**. However, NV5 was awarded 21 points out of a possible maximum of 25 (just 3 points less than our firm). We contend that this score, in view of the extremely limited number of local projects and complete absence of direct work experience, does not follow the RFP's stated requirements.

To further illustrate our claim of bias, Central Geotechnical Services, lists **1** project in Corvallis, yet was awarded 15 points. Terracon listed four projects in Seal Rock, Silverton, Oregon City and Oakridge as examples of "local" experience. Yet despite the lack of any mention of previous experience in Corvallis or work directly for the City and County, they were awarded 12 points. Pinnacle did not provide a single example of working in Corvallis or the County yet were awarded **7** points. The scoring of out-of-town consultants with no sustained history of local work or work with the City or County does meet or reflect the RFP's requirements.

In summary, we contend the County:

- demonstrated a bias against our firm by not following the stated criterion for providing requested information when scoring firms under the category of "Local Experience"
- unfairly reduced our score for this category
- elevated scores of other out of town consultants with no or very limited local experience.

The basis for the above contentions is documented in the submittal of all the out-of-town consultants. A more equitable scoring for this category (based on the RFP's own criterion) would result in a ranking of Foundation Engineering significantly higher than all other consultants.

We appreciate your consideration of our protest. We are available to answer any questions or provide additional information as needed to evaluate this matter.



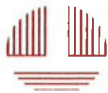
Benton County Experience

PROJECT	CLIENT	PROJECT TYPE
9 th St./Starker Ave. Commercial Center	Goldfinch Real Estate	Commercial development
11th and Jefferson Townhomes	Design Craft Homes, Inc.	New apartments
14-15 Street Improvements	Oregon State University	Street improvements
19th Street Improvements	Benton County Public Works	Road improvements
19 th and Chapel Townhomes	MSS, Inc.	Housing development
30th Street Improvements	Oregon State University	Street improvements
30th Street (Oak Creek) Bridge Widening (OSU)	OBEC Consulting Engineers	Bridge widening
36th Street/Grant Avenue Pump Station	West Yost Associates	New pump station
53rd Street Apartments	TC2 Development	New housing development
53rd Street / Hwy 34 to Country Club Road	Benton County Public Works	Road improvements
53rd Street Improvements	Benton County Public Works	Road improvements
2425 and 2465 SW Pickford Street	NW Arnold Way Properties, LLC	Housing development
Accu-Fab North	Accu-Fab Systems, Inc.	Manufacturing plant
Accu-Fab Systems, Inc.	James Michael Edwards	Manufacturing plant
Adair WWTP Improvements	Civil West Engineering Services	New wastewater plant
Adams Elementary School	Corvallis School District 509J	School additions & renov.
Airport Way Business Park	Ramsay-Gerding Construction	New industrial park
Alliance Storage Facility	Challis Collman Grover, LLC	New storage facility
Alpine Road MP 3.2 Bridge	Benton County	Replacement bridge
Alpine Wastewater Treatment Facility	Westech Engineering, Inc.	WW treatment facility
Alsea Library	Alsea Community Effort	New library
Alsea School District Improvements	Straightline Architects	School additions
Amanda Courts Apartments	Buster Fenner	Apartments
Ambulatory Services Center	Devco Engineering, Inc.	New medical building
Ashbrook Independent School	Ashbrook Independent School	New school
Ashwood Preserve	Applegate Holdings	Residential development
ATS Systems Oregon, Inc. Expansion	T. Gerding Construction Co.	Building expansion
Barley Hill Subdivision	K-3, Inc.	New Subdivision
Baldy 2nd Level Pump Station	Montgomery Watson	New pump station suction
Beca Avenue Street Reconstruction	City of Corvallis	Street reconstruction
Bellfountain Bridge	Benton County	Bridge replacement
Benton County Events Center	Benton County	Fairground expansion
Benton County Historical Society Museum	BCHS	New museum
Benton-Lane Winery	Doumard Partnership	New winery
Big 5 Sporting Goods Store	Bittman Vammen Taylor Arch.	Retail store
Bonanza Restaurant	Devco Engineering, Inc.	New restaurant
Booster Court Apartments	Casey Denson	New apartments
Boys and Girls Club	Corvallis Boys and Girls Club	Boys & Girls Club
Boys and Girls Club 2016 Addition	Devco Engineering, Inc.	
Briar Ridge Apartments	ABI Enterprises	Apartments
Brooklane Heights	TC2 Investments, LLC	Residential development
Brooklane Heights / Oakmont Addition	TC2 Investments, LLC	Residential developments
Brooklane Wastewater Lift Station	West Yost & Associates	Wastewater lift station
Bruce Road Bridges	CH2M Hill, Inc.	Replacement bridges



Benton County Experience

PROJECT	CLIENT	PROJECT TYPE
Bump Creek Culvert Replacement	OBEC Consulting Engineers	Culvert replacement
Calvary Church Site Reconnaissance	Calvary Chapel Church	Preliminary investigation
Carmike Cinema 12-Plex	Carmike Cinemas/Artech Design	New cinema
CCU/ED, Same Day and Surgery Expansions	Good Samaritan Reg. Medical Ctr	Hospital expansion
Cheldelin MS Improvements	Corvallis SD 509J	School seismic retrofit
Cherry Avenue Storm Drain	Oregon Land Development	Storm drain
Chestnut Village	Bob Grant Construction	Housing development
Chintimini Senior Center Addition	Corvallis Parks and Recreation	Senior Center
Chip Ross Park Restoration	Trout Mountain Forestry	Landslide hazard study
Circle Boulevard Pavement Study	City of Corvallis	Pavement study
Circle Street Commons	Designcraft, LLC	New housing
Clearview Subdivision	Milton Larson	Residential development
Cobblestone Square	Cobblestone Square	Shopping center/retail stores
Coffin Butte Expansion	Emcon Northwest, Inc.	Landfill expansion
Coffin Butte Landfill Expansion	SCS Energy	Plant expansion
Coffin Butte New Leachate Pond	Valley Landfills, Inc.	New leachate pond
Coffin Butte Leachate Pond Expansion	Thiel Engineering	Leachate pond expansion
COI Access Bridge	Community Outreach, Inc.	Access bridge
College Street Pavement	Westech Engineering, Inc.	Pavement improvements
Coleman Creek Culvert Replacement	LEI Engineering	Culvert replacement with bridge
Conifer Place Townhomes	MSS, Inc.	Apartment complex
Coronado Subdivision – Tract B	Devco Engineering, Inc.	Housing development
Corvallis Airport Airplane Hanger	ACT, Inc.	New airplane hanger
Corvallis Airport Apron Expansion	David Evans & Associates, Inc.	Airport improvements
Corvallis Airport Hanger	Eric Dapp	New hanger
Corvallis Airport Private Hanger	Andrew King	New airplane hanger
Corvallis Airport – Runway 9-27	Approach Engineering, Inc.	Airport improvements
Corvallis Alzheimers Facility	Regent Assisted Living	New care facility
Corvallis Apartments	Curry Brandaw Architects	Apartment complex
Corvallis Applebee's Restaurant – Circle	Galloway, Romero & Associates	Restaurant
Corvallis Applebee's Restaurant – 9th Street	Galloway, Romero & Associates	Restaurant
Corvallis Burger King	Boss Enterprises, Inc.	Restaurant
Corvallis Business Park	Schlosser Development Company	New business park
Corvallis Care – Phase II	Good Samaritan Reg. Medical Ctr.	Hospital remodel and additions
Corvallis Clinic MRI and ASC	The Corvallis Clinic, P.C.	New medical facility
Corvallis Disposal Company Excavation	Corvallis Disposal Co.	Shoring construction
Corvallis Dry Fertilizer Storage	Stueve Construction Co.	Fertilizer storage
Corvallis DT Fire Station Settlement	Devco Engineering, Inc.	Settlement investigation
Corvallis Feed & Seed	Fisher Construction Services, Inc.	New seed storage buildings
Corvallis Fire Stations #2 and 3 Seismic	Devco Engineering, Inc.	Seismic hazard studies
Corvallis Fire Station #2 Remodel	City of Corvallis	Fire station remodel
Corvallis Fire Station #3 Remodel	Corvallis Fire Department	Fire station remodel



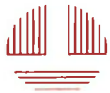
Benton County Experience

PROJECT	CLIENT	PROJECT TYPE
Corvallis High School	Corvallis SD 509J	Replacement high school
Corvallis HS Improvements	Corvallis SD 509J	School addition and improve.
Corvallis Housing Project	Annex Group	New housing development
Corvallis Intermodal Mall	OTAK, Inc.	New bus stop
Corvallis K-Mart	Systems West Engineers	Shopping center
Corvallis Latter-Day Saints Church	Steve Streeter	New church
Corvallis Medical Center - 1995 Improvs.	Good Samaritan Hospital	Hospital improvements
Corvallis Mini Storage	Rembold Trusts, Inc.	Storage facility
Corvallis Motel Projects	Robert W. Richelieu Construction	New motels
Corvallis Reservoir	Montgomery Watson	New water storage reservoir
Corvallis Riverfront Hotel	Hospitality Mortgage	Hotel
Corvallis SDA Church Assessment	Corvallis SDA Church	Church evaluation
Corvallis S.D. Library Additions	Wilson Bryant Gunderson	New school libraries
Corvallis Sewerline	City of Corvallis/FEI T&I	New sewerline
Corvallis Shopping Center	Hawkins & Associates	Shopping center
Corvallis Surgical Center	The Corvallis Clinic, P.C.	New surgery center
Corvallis Toyota	Devco Engineering, Inc.	Car dealership
Corvallis Water/Sewer Lines	City of Corvallis	Utility construction
Corvallis Wilco	Novak Architecture	Retail/commercial building
Corvida Subdivision	Corvida I & II, LLC	New housing development
Country Club Meadows	K-3, Inc.	Housing development
CPI Headquarters Renovation	Consumer Power, Inc.	New tanks and courtyard
CPI Transmission Pole	Consumer Power, Inc.	New transmission pole
CSC Home Sites	Community Services Consortium	Housing development
Crescent Valley HS Improvements	Corvallis SD 509J	School addition and improve.
Crescent Valley Pump Station	West Yost	Replacement pump station
Dennis Hall Addition	First Presbyterian Church	Building addition
Devco Building Repair	Ramjack, Inc.	Building underpinning
Dixon Creel Bank Stabilization	River Design Group	Bank stabilization
Dunawi Creek (SW Knollbrook Place) Bridge	OBEC Consulting Engineers	Replacement bridge
Elks Drive Intersection Relocation	Devco Engineering, Inc.	Road realignment
Entomology Building	OSU Ag. Exper. Station	Office/laboratory
Eugene Police Substation	Eugene, OR	Sacred Heart Medical Center
Evanite Office/Warehouse	Devco Engineering, Inc.	Office/warehouse
Evanite Riverfront Trail	Evanite Corporation	Pedestrian/Bike Trail
Evanite Warehouse Expansion	Devco Engineering, Inc.	Warehouse
5th/Harrison Office Buildings	Devco Engineering, Inc.	Office buildings
Fairway View Subdivision	Pahlisch Homes	Residential development
Fern Road Bridge Replacement	Benton Co. Dept. of Public Works	Replacement bridge
Filing Room Building	Diamond B Corporation	Sawmill addition
First Alternative Co-op	Gerding Builders	Building replacement
Forest Heights	Forest Heights, LLC	New housing development
Four Wings Apartments	Valley Construction	New apartments
Franklin K-8 Improvements	Corvallis School District 509J	School improvements



Benton County Experience

PROJECT	CLIENT	PROJECT TYPE
Freedom Federal Branch Office	Coldwell Bank Valley Brokers	New bank
G.P. Dry Kiln	Georgia-Pacific Corporation	Dry kiln
Gene Tools Facility	Streamline Engineering	New building
Georgia-Pacific Planer Mill	Georgia-Pacific Corp.	New building
Good Samaritan Family Practice	Good Samaritan Hospital	New clinic
Good Samaritan Hospital Parking Lot	Wildish Construction	Parking lot expansion
Good Samaritan MRI Project	Good Samaritan Hospital	New MRI facility
Good Samaritan Wellness Center	Devco Engineering, Inc.	Wellness center
Grand Manor/Motel Orleans	Meyer Motels, Ltd.	New motels
Grand Oaks	Pahlisch Homes	Residential development
Grant Avenue Habitat for Humanity	Benton Habitat for Humanity	Low-income housing
Grant Avenue Pump Station	West Yost Associates	Pump station and seismic study
Greasy Creek Bridge	David Evans & Associates, Inc.	Replacement bridge
GSRMC East Expansion	Devco Engineering, Inc.	Hospital expansion
Hancock Forest Manage. RR Grade Bridge	McGee Engineering, Inc.	Slope evaluation
Hanson Tire Store	Bob Grant Construction	Retail store
Harding Center (College Hill)	Corvallis SD 509J	School addition and seismic retrofit
Hayden Road Covered Bridge	Benton County PWD	Bridge rehab
Hidden Creek Development	R. Richardson	Housing development
Highland View Middle School	Corvallis School District 509J	New middle school
Hilltop Village	Benton Co. Habitat for Humanity	Housing development
Hoover Elementary School	Corvallis School District 509J	Replacement school
Hubbard Rd. (Long Tom R.) Bridge	OBEC Consulting Engineers	Replacement bridge
In Harmony Housing Development	In Harmony	Housing development
Indoor Sports Arena	Indoor Sports Park, L.L.C.	Sports arena
Intellex Corporation Headquarters	Intellex	Manufacturing plant/offices
INTO Living & Learning Center	Oregon State University	Student housing
Jackson Creek Bridge	Benton County P.W.D.	Bridge replacement
Jefferson Elementary School	Corvallis School District 509J	School additions & renov.
Jefferson Way Utility Tunnel	Oregon State University	New utility tunnel
JR Hendrix Building	Roger Hendrix	Industrial building
K-3 Office Building	K-3, Inc.	New office building
Kent Ponderosa Property	W.F. Kent	Residential development
Key Bank	Devco Engineering, Inc.	New building
Kings Boulevard Extension	Timberhill Corporation	New road
KOAC Tower	Oregon Public Broadcasting	New transmission tower
Kopplein Creek Culvert	Benton Co. Public Works	Culvert replacement
Lakeside Industrial Park – Phase I	Development By Design	Business development
Lakeside Industrial Park – Public Improvements	WRG Design, Inc.	New road and bridge access
Lancaster Bridge Housing	Robertson, Merryman, Barnes	Low-income housing
Landmark Industrial Park – Phase 1	Uncommon Cabinetry	New industrial park
LBCC Benton Center Expansion	FAA Design	Educational facility



Benton County Experience

PROJECT	CLIENT	PROJECT TYPE
Lewisberg Fire Station	Corvallis Rural Fire Protection	Fire station
Lincoln Elementary School	Corvallis School District 509J	Replacement school
Linus Pauling Science Building	Oregon State University	New building
Live Oak Estates	Rick and Sandy Luebbers	Residential development
Llewellyn Road (Muddy Creek) Bridge	OBEC Consulting Engineers	New bridge
Llewellyn Road Bridge (MP 2.5)	Benton County Public Works	Replacement bridge
Maier Lane Subdivision – Fabian Estates	Fabian Estates, LLC	Residential development
Main Auto Body	Main Auto Body & Paint, Inc.	New auto body facility
Marys River (Harris Road) Covered Bridge	OBEC Consulting Engineers	Bridge repairs
Marys River Lift Station	West Yost Associates	New lift station
McDonald Wholesale	Shaudt, Stemm & Wild, Inc.	Warehouse
McFadden-Killen Offsite Improvement	Pohs, Brandt and Hortsman	Housing development
McGrath's Fish House	Buerge Construction Co.	New restaurant
Meadowlark Subdivision	Fred Wright, P.E.	Residential development
Meadowridge Subdivision (multiple phases)	Timberhill Corporation	Housing development
Media Center/Elementary School	Philomath School District	School additions
Medical Office Building Complex	Devco Engineering, Inc.	Office building
Megan's Addition Subdivision	Les Melvill	New housing development
Merriale Subdivision	Wichothi, LLC	New housing development
Midway Forest Products Warehouse	WTD Industries, Inc.	New warehouse
Millpond Crossing	Cedar Creek Industries	Residential development
Monroe & Cascadia Cell Sites	Gale M. Roberts Co., Inc.	Cellular phone towers
Monroe Water System Improvement	Westech Engineering, Inc.	New water storage reservoir
Monroe Union High School Tennis Courts	Nagao & Oroyan Associates	Tennis courts
Motorola Communications Tower	City of Corvallis	Communication tower
Mountain View ES Improvemtns	Corvallis School District 509J	School improvements
Muddy Creek Overflow (Airport Road) Bridge	OBEC Consulting Engineers	Replacement bridge
Muddy Creek Overflow Bridge	OBEC Consulting Engineers	Replacement bridge
Multi-Purpose Building	Santiam Christian Schools	School building addition
Neabeack Hill Subdivision	Devco Engineering, Inc.	Residential subdivision
New COI Facility	Community Outreach, Inc.	Outreach facility
Newton Creek (Applegate Road) Bridge	Westech Engineering, Inc.	Replacement bridge
Newton Creek (Chapel Drive) Bridge	OBEC Consulting Engineers	Replacement bridge
NIRSA National Center	NIRSA	New office building
North Albany Community Church	Devco Engineering, Inc.	Facility expansion
North Albany Vault Reinforcement	ZCS Engineering, Inc.	Utility evaluation
North Albany Medical Office Buildings	Devco Engineering, Inc.	New medical offices
North Corvallis Transmission Lines	Consumers Power, Inc.	Power pole relocation
North Site Accu-Fab	Accu-Fab Systems, Inc.	Manufacturing plant
NW Jersey Drive	Scott Taylor Company	New road
O'Brien Dental Laboratory	O'Brien Dental Laboratory	Dental laboratory
Oak Cr (SW Morris Ave.) Bridge	OBEC Consulting Engineers	Replacement bridge
Oak Lawn Memorial Park Mausoleum	Robert Gray Partners, Inc.	Mausoleum
Oak Park Apartments	ABI Enterprises	Apartment expansion



Benton County Experience

PROJECT	CLIENT	PROJECT TYPE
Oak Creek Substation Rebuild	Consumers Power, Inc.	Electrical Substation
Old River Road Bridge	Benton County Public Works	Replacement bridge
OPB Vineyard Mountain Tower	Oregon Public Broadcasting	Tower
OPB/KOAC Tower	Oregon Public Broadcasting	Tower
OR99W: Chapman Crossing Illumination	DKS Associates	New illumination
Oregon Rubber Mills Warehouse	Oregon Rubber Mills Company	New storage building
OSU Oak Creek Greenhouse Improvements	Oregon State University	Greenhouse improvements
OSU Arts & Education Complex	Oregon State University	New building
OSU Asian Pacific Cultural Center	Oregon State University	New building
OSU Austin Hall Business Building	Oregon State University	New building
OSU Black Cultural Center	Oregon State University	New building
OSU Cèsar Chávez Cultural Center	Oregon State University	New building
OSU Child Care Center	OSU Physical Plant	Child care center
OSU Community Hall Slope Design	Oregon State University	Accessibility improvements
OSU Cordley Hall Renovation	Oregon State University	Building renovation
OSU Education Hall	Oregon State University	Foundation investigation
OSU Education Hall	McBride Architects, PC	Foundation investigation
OSU Fairbanks Hall	Oregon State University	Building renovation
OSU Federal Credit Union	OSU Federal Credit Union	New credit union
OSU FCU New Administrative Services Bldg.	OSU Federal Credit Union	New admin building
OSU Finley Hall Renovation	Oregon State University	Seismic hazard study
OSU Fish Disease Research Laboratory	OSU-TBG	Research laboratory
OSU Forest Roads	Oregon State University	Logging roads
OSU Forest Science Complex	Oregon State University	New buildings
OSU Goss Stadium – Omaha Room	Oregon State University	Stadium remodel
OSU Goss Stadium Expansion	Oregon State University	Stadium expansion
OSU Goss Stadium Turf Replacement	Oregon State University	New turf
OSU Gymnastic Practice Facility	Oregon State University	New practice facility
OSU Hallie Ford Center	Oregon State University	New building
OSU Heckart and Reed Lodges Renovation	Oregon State University	Seismic study
OSU Hinsdale Wave Research Facility Crane	Oregon State University	New double girder crane
OSU Horse Barn	Devco Engineering, Inc.	Drainage study
OSU Industrial Building	McBride Architects, PC	Building replacement
OSU Johnson Hall	Oregon State University	Engineering building
OSU Lorenz Soccer Field Bleachers	Oregon State University	New bleachers
OSU Magruder Hall Animal Hospital Expansion	Oregon State University	Large animal hospital exp.
OSU Motor Pool Canopy	Oregon State University	New canopy
OSU Native American Cultural Center	Oregon State University	New building
OSU New Classroom Building	Oregon State University	New building
OSU New Student Residence Hall	Oregon State University	New student housing
OSU Oil Tanks	Hyde & Associates	Storage tanks
OSU Operations Center	Oregon State University	New building
OSU Orchard Court Student Family Housing	Oregon State University	Housing development
OSU Parking Lots	Devco Engineering, Inc.	Parking lot investigation



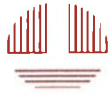
Benton County Experience

PROJECT	CLIENT	PROJECT TYPE
OSU Parking Structure	Oregon State University	New parking structure
OSU Poultry Facility	Oregon State University	New poultry facility
OSU President's Residence	Oregon State University	New residence
OSU Pride Center	Oregon State University	Office expansion
OSU Property Control Warehouse	Oregon State University	Storage warehouse
OSU Radiation Center Addition	Oregon State University	Building addition
OSU Reser Stadium Scoreboard Replacement	Oregon State University	Stadium improvements
OSU River Hydraulics Research Facility	Oregon State University	Research facility
OSU Rowing Facility Expansion	Oregon State University	Expansion of facility
OSU Softball Complex Lighting	Oregon State University	Lighting poles
OSU Sony Video Board	Gilbert Co. General Contractor, Inc.	New video board
OSU Storm & Sanitary System Evaluation	Murraysmith	Infrastructure evaluation
OSU Strand Agriculture Hall Restoration	Oregon State University	Restoration/seismic upgrade
OSU Street Pavement Study	Devco Engineering, Inc.	Pavement study
OSU Student Recreation Facilities	Oregon State University	New facilities
OSU Student Experience Center	Oregon State University	New building
OSU Student Community Center	Oregon State University	Student center
OSU Student Success Center	Oregon State University	New building
OSU Track and Field Complex	Oregon State University	New track and field complex
OSU Upper Div. & Grad Student Housing	Oregon State University	New dormitories
OSU USDA Small Fruit Laboratory	MacKenzie/Saito & Associates	Materials testing/inspection
OSU Washington Way Realignment	Oregon State University	Road realignment
OSU Whyte Track & Field – Phase 2	Oregon State University	Track expansion
Overall Laundry	Overall Laundry	New laundry facility
Parcel 9	Devco Engineering, Inc.	Housing development
Pacific Softwoods Kilns	WTD Industries, Inc.	New kilns
Park Place Subdivision	Fred Wright, P.E.	Housing development
Parker Stadium - Phase III	OSU Physical Plant	Foundation consultation
Pastega Guest House Addition	Devco Engineering, Inc.	Hospital housing
Pavement Distress Consultation	City of Corvallis	Pavement study
Peltier R.E. Office Building	Peltier Real Estate Co.	Office building
Phi Kappa Psi Fraternity Reconstruction	Phi Kappa Psi Fraternity	Housing
Philomath Elementary School Additions	Philomath School District	School additions
Philomath Forest Products Paving	Devco Engineering, Inc.	Pavement design
Philomath G.P. Saw Mill	Georgia-Pacific Corporation	Sawmill addition
Philomath G.P. Storage Building	Georgia-Pacific Corporation	Warehouse
Philomath High School Addition	Philomath School District	School addition
Philomath Police Facility	City of Philomath	New police facility
Philomath Pump Station 'A'	Westech Engineering, Inc.	New pump station
Philomath Reservoir	Westech Engineering, Inc.	Water storage reservoir
Philomath Reservoir Seismic Study	Westech Engineering, Inc.	Seismic study
Philomath Sewerage System Improvements	Westech Engineering, Inc.	WW storage lagoon
Philomath Signal Upgrade	Murraysmith	New signal poles
Philomath Water Treatment Supply	Westech Engineering, Inc.	Water system improvements



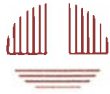
Benton County Experience

PROJECT	CLIENT	PROJECT TYPE
Philomath WTP CT Improvements Design	Westech Engineering, Inc.	Water system improvements
Philomath WWTP Improvements	Westech Engineering, Inc.	Wastewater system improvements
Photo Espresso Relocation	Timberhill Shopping Center	Retaining wall
PMIC Building	Benchmark Architectural Services	Commercial building
Radiation Oncology Center	Good Samaritan Hospital	New radiation center
Radiation Oncology Expansion	Good Samaritan Hospital	Hospital expansion
Region 2 Illumination & ITS Improvements	DKS Associates	Luminaire improvements
Reser Stadium Expansion	Oregon State University	Expansion of stadium
Reser Stadium Expansion – Phase 2	Oregon State University	Expansion of stadium
Reser Stadium Expansion – Phase 3	Oregon State University	Stadium expansion
Reser Stadium Expansion – Phase 4	Oregon State University	Stadium expansion
Reservoir Road Realignment	Benton County Public Works	Road improvements
Retail Building (935 NW Kings)	Dale Ramsay Construction	Retail shops
Retail Stores	Prime Commercial	Retail stores
Richard Place	The Pillar Consulting Group, Inc.	New subdivision
Ridgecrest Pump Station	West Yost	New pump station
Ridgeview Apartments Recreation Bldg.	The Jones Co.	Recreation facility
Riverfront Renaissance	Corvallis Riverfront, LLC	New condominium complex
Rivergreen Office Park	Ian McElroy Construction	Office park
Rock Creek Backwash Tank Replacement	Black & Veatch	Water tank improvements
Rock Creek Generator Pad	R&W Engineering	WTP improvements
Rock Creek WTP Chemical Feed Improv.	Black & Veatch	WTP improvements
Rockland Subdivision	Devco Engineering, Inc.	New subdivision
Rolling Hills Retirement Apartment	Jeffrey H. Tamkin, Inc.	Apartment complex
Rolow Dam Evaluation	Starker Forest, Inc.	Risk evaluation
Samaritan Regional Cancer Center Expansion	Devco Engineering, Inc.	Facility expansions (2008 and 2011)
Samaritan Sports Medicine	Devco Engineering, Inc.	Medical clinic
Satinwood Subdivision	Devco Engineering, Inc.	Residential development
Schwartz Corporate Office	Schwartz & Fujii, L.L.C.	New office building
Seed Research Warehouse	Bob Grant Construction	Storage warehouse
Senior Care Center	Good Samaritan Hospital	New senior care facility
Shingle Creek Bridge	Benton Co. Public Works	Bridge replacement
Skyline West Sewer Extension	City of Corvallis	Sewerline extension
Smurfit Chip Storage Building	LBH Construction	Storage building
Smurfit Flaker	Smurfit Newsprint Corporation	New flaker
Smurfit Pre-Finish Building	CTC	Pre-finish building
Sorter Building G.P. Philomath Sawmill	Georgia-Pacific Corporation	New sorter building
Southeast Crystal Lake Drive	KCM, Inc.	Road/mill race realignment
Sparrow Hill Subdivision	K-3, Inc.	New residential development
Sport & Spine Physical Therapy	CRG Architect	New medical facility
Springhill Drive Pavement Study	Benton Co. Public Works	Pavement evaluation
Staples Office Supply Store	Schlosser Development Company	New retail facility



Benton County Experience

PROJECT	CLIENT	PROJECT TYPE
Standford Townhomes	Devco Engineering, Inc.	New apartments
Starlight Village	MSS, Inc.	Housing development
Sunrise Common	Tom Roy	Housing development
Sunset Meadows	Ling & Associates	Housing development
Sunset Shopping Center	Bi-mart Corporation	New shopping center
Super 8 Motel	Devco Engineering, Inc.	New motel
Swanson Access Road	Douglas Swanson	New residential access road
SW 53 rd Flats	Commonwealth Development Corp.	New housing
Taylor WTP Settling Basin	West Yost & Associates	WTP improvements
The Crest at Timberhill	Yellowstone Builders	Housing development
The Grove	Campus Crest	Student housing
The Heart Institute	Good Samaritan Hospital	New hospital wing
The Park at Timberhill	Timberhill Corporation	New residential development
The Park at Timberhill	Pahlisch Homes	Residential development
The Preserve	Jim Boeder	New subdivision
The Ridge at Timberhill	Timberhill Corporation	New subdivision
The Village at West Hills	Henderson Adult Community	Retirement community
Thirty-Fifth Street Improvements	City of Corvallis	Street rehabilitation
Timberhill 5th Addition	Timberhill Realty	Subdivision expansion
Timberhill Addition	Fred Wright, PE	Housing development
Timberhill Assisted Living Center	Stan Gass	Assisted living facility
Timberhill Athletic Club Addition	Timberhill Athletic Club	Athletic club expansion
Timberhill Meadows Condominiums	Century Constructors	Housing development
Timberhill Office Building	Timberhill Corporation	Office building
Timberhill S.E. 4th Addition	Systems West Engineers	Subdivision
Timberhill Shopping Center Retaining Wall	Timberhill Shopping Center	New retaining wall
Touchstone Commons	Designcraft, LLC	Housing development
Tricon Colors	Bob Grant Construction	Manufacturing plant/lab
Trillium SAIP Replacement Facility	Inici Group	Housing
Twin Oaks Humane Society	Heartland Humane Society	New facility
UUFC Addition	Unitarian U. Fellowship Corvallis	Church addition
US 20: Philomath Couplet	Murray, Smith & Associates, Inc.	New bridge and signal poles
US 20 Safety Upgrades	David Evans & Associates, Inc.	Highway improvements
USDA Forestry Services Building (OSU)	Rolluda Architects	New building
USDA Small Fruit Research Lab	MacKenzie/Saito & Associates	Research facility
Valley View Reservoir Seismic Upgrade	City of Albany	Reservoirs seismic upgrade
Videx Manufacturing Facility Expansion	Videx, Inc.	Facility expansion
Village at Oak Creek	Titan Management, Inc.	Apartment complex
Vinyard Mt. Reservoir #2	Cascade Water Works	New reservoir
W. Fork Marys River Road (Long Road) Bridge	David Evans & Associates, Inc.	Replacement bridge
Walnut Creek MUE (Residential Development)	ABI Enterprises	Mixed-use residential development
Walnut Park	Jack Ostensen	Housing development
Walnut Professional Center	Walnut Professional, LLC	New office buildings



Benton County Experience

PROJECT	CLIENT	PROJECT TYPE
Walnut Prof. Center – Lot 9	Pillar Consulting Group	New dental office building
Washington Federal Savings & Loan	Buerge Construction Co.	New bank
Washington Yard	Gilbane Development Co.	Student housing
West Campus	Benton County	New police station & jail
West Hill Sewer Extension	City of Corvallis	Sewerline extension
West Hills Animal Hospital	West Hills Animal Hospital, Inc.	New building addition
West Knoll Subdivision	K-3, Inc.	New subdivision
West Philomath Boulevard Sewer	City of Corvallis	Sewerline extension
Western Pulp Products	Dennis M. McGee, P.E.	Plant expansion
Western Pulp Storage Building	Devco Engineering, Inc.	New warehouse
Wiles Road Bridge	Benton Co. Public Works	Bridge replacement
Willamette Landing (multiple phases)	Pahlisch Homes	Residential development
Wilson Elementary School	Corvallis School District 509J	School additions & renov.
Wilt's Mini Storage	S2F Corporation	Storage facility
Windstone Editions Manufacturing Bldg.	John Alberti	Manufacturing plant
Witham Hill Oaks Improvements	Jones Management Co.	New apartments
Witham Hill Road Repair	City of Corvallis	Road stabilization
Witham Oaks Development	Matrix Development	New residential development
Witham Village Apartment Addition	Steve Oliver	Apartment additions
Wood Product Storage Warehouse	Georgia-Pacific Corporation	Storage Warehouse
Woodland Water Tank	Murrysmith	Seismic study

Project totals: 409 (6-28-22)

EVALUATION COMMITTEE SCORE SHEET – Compiled Scores

RFP for Geotechnical Services - Benton County Courthouse

Document #2022-1961C

Completed: August 24th, 2022

PROPOSAL SCORING	Possible	Central Geotech	Earth Engineers	Foundation Engineering	GRI	NV5	Pinnacle	Terracon
1. Company Overview	25	19	11	23	22	23	14	18
2. Local Experience	25	15	13	24	18	21	7	12
3. Key Personnel	25	15	12	22	23	22	11	15
4. Availability	15	10	9	13	12	13	9	8
5. Unique Qualifications	10	5	3	2	4	10	4	9
SUBTOTAL PROPOSAL POINTS	100	64	48	84	79	89	45	62

FEI Protest – County Response to Protest is as follows:

The Geotechnical RFP proposals were scored by independent evaluators with no insight into the other evaluator's scores. Those scores were then collected and averaged to create a final score in order to maintain a fair and non-biased grading. This approach is consistent with Oregon Statute for public procurement that is used for municipal projects. The County conducted the evaluation pursuant to the criteria described in the solicitation material. (Weighted point scoring). Supported by ORS 279.

The reason for the protest, in part, Section 279B.410:

The contracting agency has failed to conduct the evaluation of proposals in accordance with the criteria or processes described in the solicitation materials.

Response: Directly from Geotechnical RFP Document Section 3, Page 4.

This RFP is a Qualification Based Selection. Benton County will review and rank each submittal and will decide after scoring if interviews are necessary. The County reserves the right to select the most qualified firm based solely on the information provided as part of this submittal.

FEI Complaint and Protest

2.3 LOCAL EXPERIENCE

Describe your previous work experience performing local geotechnical services on similar projects. Include experience working directly with the City of Corvallis and Benton County.

1. FEI is confident that there is no firm with similar local experience.

Response: The evaluators can only grade on the material presented. The fact that FEI has presented numerous pages of additional information in its protest, is not relevant because it was not included in FEI's submission of the RFP and cannot be considered.

2. We assume the scoring for points in the category of local experience would be in some proportion to the number of actual local projects and the actual previous and current experience working directly with the City of Corvallis and Benton County.

Response: This is an assumption and was not a stated criterion of the RFP.

3. FEI Stated "In Summary, we contend the County:

- a. Demonstrated a bias against our firm by not following the stated criterion for providing requested information when scoring firms under the category of "Local Experience"
- b. Unfairly reduced our score for this category
- c. Elevated scores of other out of town consultants with no or very limited local experience."

Response: FEI scored the highest number of points for the Local Experience section of the RFP, therefore these assertions are baseless.

NOTICE OF PUBLIC HEARING

To Consider Protest of Contract Award for Geotechnical Services

Benton County Board of Commissioners Meeting

Tuesday, October 4, 2022, 11:00 AM

The Benton County Board of Commissioners will hold a public hearing to consider a protest of contract award for geotechnical services for the Benton County Justice System Improvement Program (JSIP), for the building of the new Benton County Courthouse.

Contact the Benton County Public Works Director at 541-766-6821 for more information.

All interested persons are invited to attend this virtual meeting via Zoom: <https://us06web.zoom.us/j/81192557649?pwd=Qkw3eHNhVzlBRUt2OTBnNjZqem45dz09>; , Meeting ID: 811 9255 7649, Passcode: 381414; or Dial (253) 215 8782; Meeting ID: 811 9255 7649, Passcode: 381414

The meeting will also be livestreamed on Facebook at <https://www.facebook.com/BentonCo.Gov>. Written testimony may be mailed to the Benton County Board of Commissioners, 4500 Research Way, Corvallis, Oregon 97333 or emailed to bocinfo@co.benton.or.us. To be considered at the hearing, written testimony must be received by the Board of Commissioners Office by **5:00 p.m. on Monday, October 3, 2022**. For further information, call the Benton County Board of Commissioners Office at 541-766-6800.

Nancy Wyse, Chair
Pat Malone, Commissioner
Xanthippe Augerot, Commissioner

Published: September 20, 2022 Gazette Times



**REQUEST FOR PROPOSAL
for Geotechnical Professional Services**

**Benton County Justice System Improvement Program
Document RFP # 2022-1961C**

Issued: 7/28/2022

Proposals Due:	8/18/2022 by 3:00pm
Proposal Questions due:	8/4/2022
Submit Proposal Questions to:	Gary Stockhoff – Public Works Director gary.stockhoff@co.benton.or.us <u>Proposers shall not contact County Personnel except as allowed in RFP.</u>
Submit Proposals to:	ATTN: Gary Stockhoff - Public Works Director Avery Building 360 SW Avery Avenue Corvallis, OR 97333
Interviews	To be announced if necessary

SECTION 1 – GENERAL INFORMATION

Benton County is seeking proposals from qualified firms to provide professional services in the geophysical/geotechnical field for the Benton County Justice System Improvement Program (JSIP) 28-acre site located in Corvallis, OR. Services are needed for the development of a Campus Master Plan and for the building of the new Benton County Courthouse.

The Benton County Courthouse will be the first of potentially 4 structures to be built on the campus. The Courthouse includes the District Attorney's office and is estimated around 30,000 to 40,000 square feet, with a total project budget of \$58,000,000. Other potential structures include a 60,000sqft Correctional Facility, 30,000sqft Sheriff's Office, and a 12,000sqft Emergency Operations Center.

Proposers must be able to self-perform a broad range of geology and geotechnical professional services. The Geotechnical Report should be prepared in accordance with section 1803 of the current Oregon Structural Specialty Code (OSSC). **See Attachment F for Geotechnical Scope of Work Checklist.**

Due to the potential of additional structures, the term of the agreement will be from execution of the contract, which is expected to occur September 1st, 2022, through August 31st, 2025.

This contract will utilize the "Benton County Goods and Services Contract" found on the County website at: <https://www.co.benton.or.us/rfps>

Any cost incurred by the respondents in preparing or submitting a proposal shall be the respondents' sole responsibility. All responses, inquiries or correspondence relating to this proposal will become the property of Benton County.

SECTION 2 - PROPOSAL SUBMISSION REQUIREMENTS

All respondents are required to submit the information detailed below. Responses shall be organized and presented in the order listed below to assist the County in reviewing and rating proposals. Responses should be presented in appropriate detail to thoroughly respond to the requirements and expected services.

COVER LETTER

Provide a cover letter indicating the firm's interest in providing the service and other information that would assist the County in making a selection.

COMPANY OVERVIEW

Describe your company's demonstrated expertise, size, and longevity.

LOCAL EXPERIENCE

Describe your previous work experience performing local geotechnical services on similar projects. Include experience working directly with the City of Corvallis and Benton County.

KEY PERSONNEL

Introduce the proposed project team. Identify the key day-to-day personnel that will be assigned to the project, their expertise and experience, and the responsibility of each team member. Include Resumes.

AVAILABILITY AND MOBILIZATION

Describe your company's availability to respond throughout Design and Construction. How will you mobilize and support the project during each phase?

UNIQUE QUALIFICATIONS

Your firm is invited to describe any aspects of its organization or qualification that, by way of background, experience, unique qualifications, or other basis, sets your company apart from the competition in its ability to accomplish these services.

INSURANCE

All proposals must include either a description of Proposer's insurance or a certificate of insurance outlining Proposers' insurance policy which is evidence compliance with the requirements listed in Attachment G.

REFERENCES

Please provide 3 references as per Attachment E

SECTION 3 - PROPOSAL EVALUATION

This RFP is a Qualification Based Selection. Benton County will review and rank each submittal and will decide after scoring if interviews are necessary. The County reserves the right to select the most qualified firm based solely on the information provided as part of this submittal.

The following are the evaluation criteria. Each item will receive the weight indicated:

Company Overview <i>(25 points)</i>
Local Similar Experience (25 point)
Key Personnel <i>(25 points)</i>
Availability and Mobilization (15)
Unique Qualifications (10)

This request for proposal does not commit the County to award a contract. The County reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with the selected respondents, the right to extend the contract for an additional period, and/or to cancel in part or in its entirety the request for qualifications all being in the best interest of the County to do so.

A panel consisting of County staff and, if appropriate, other subject matter experts, will evaluate all proposals received for completeness and the respondent's ability to meet all requirements as outlined in this RFP.

Upon selection of a preferred consultant, the County will request a detailed statement of work and fee proposal. Revisions to the fee proposal may be requested if the County determines it to be in its best interest. If a fee cannot be agreed upon, the County may request a fee proposal from an alternate respondent and negotiate with that consultant.

SECTION 4 - PROPOSAL FORMAT REQUIREMENTS

The Proposal shall be in the format described below and each page shall be identified with the project name, proposer's name, and page number.

Format

- The Proposal shall be in PDF, formatted to print on 8 ½" x 11" paper, stapled on the top left corner.
- All text shall be an Arial 11-point font or larger.
- The Proposal narrative, when printed, shall not exceed 15 pages, **excluding** cover page, tabs, resumes, and attachments.

SECTION 5 - SUBMITTAL LOCATION AND PROPOSAL DEADLINE

Submittal Location

Mail or deliver to:

Gary Stockhoff – Public Works Director
Avery Building
360 SW Avery Avenue
Corvallis, OR 97333

Questions regarding this Proposal shall be in writing and must be directed to Gary Stockhoff on or before 5pm August 4, 2022. Send questions to the address above, or via e-mail at gary.stockhoff@co.benton.or.us

Proposals Due:

Submittals will be accepted by the Benton County until 3:00 pm local time August 18, 2022. Provide 5 hard copies and one USB.

Please address your submittals to:

Gary Stockhoff – Public Works Director
Avery Building
360 SW Avery Avenue
Corvallis, OR 97333

No submittals will be accepted after that date and time.

ATTACHMENTS

Attachment A – Proposers Certification

Attachment B – Business Entity Certification

Attachment C – Affidavit of Non-Collusion

Attachment D – Financial Resources Form

Attachment E – Reference Form

Attachment F – Benton County Geotechnical Scope-of-Work Request Checklist

Attachment G – Insurance Requirements

ATTACHMENT A**CERTIFICATION STATEMENT FOR CORPORATION OR
INDEPENDENT CONTRACTOR****A. Contractor is a Corporation, Limited Liability Company, or a Partnership**

I certify under penalty of perjury that Contractor is a (check one):

☐ Corporation ☐ Limited Liability Company ☐ Partnership ☐ Nonprofit Corporation
authorized to do business in the State of Oregon

Signature: _____

Title: _____ Date _____

B. Contractor is a Sole Proprietor Working as an Independent Contractor

Contractor certifies under penalty of perjury, that the following statements are true:

1. If Contractor is providing services under this Contract for which registration is required under ORS Chapter 71 (Architects and Landscape Contractors) or 701 (Construction Contractors), Contractor has registered as required by law.
2. Contractor is free to determine and exercise control over the means and manner of providing the service subject to the right of the County to specify the desired results.
3. Contractor is responsible for obtaining all licenses or certifications necessary to provide services.
4. Contractor is customarily engaged in providing services as an independent business. Contractor is customarily engaged as an independent contractor if at least three of the following statements are true

Note: Check all that apply. You must check at least three to establish that you are an independent contractor.

- ☐ A. Contractor's services are primarily carried out at a location that is separate from the Contractor's residence or primarily carried out in a specific portion of the residence which is set aside as the location of the business.
- ☐ B. Contractor bears the risk of loss related to the services provided under this Contract.
- ☐ C. Contractor provides services to two or more persons within a 12-month period or Contractor routinely engages in business advertising solicitation or other marketing efforts reasonably calculated to obtain new contracts for similar services.
- ☐ D. Contractor makes a significant financial investment in the business.
- ☐ E. Contractor has the authority to hire additional persons to provide the services and has authority to fire such persons.

Contractor Signature:

Date: _____

ATTACHMENT B**REPRESENTATIONS AND CERTIFICATION REGARDING
DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY
MATTERS**

Failure of the Respondent to complete and sign this form may result in the rejection of the submitted offer. The Respondent will notify County within 30 days of any change in the information provided on this form.

The Respondent certifies to the best of its knowledge and belief that neither it nor any of its principals:

1. Are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from submitting bids or Responses by and federal, state or local entity, department or agency;
2. Have within a five-year period preceding the date of this certification been convicted of fraud or any other criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) contract embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are presently indicted for or otherwise criminally charged with commission of any of the offenses enumerated in Paragraph 2 of this certification;
4. Have, within a five-year period preceding the date of this certification had a judgment entered against contractor or its principals arising out of the performance of a public or private contract;
5. Have pending in any state or federal court any litigation in which there is a claim against contractor or any of its principals arising out of the performance of a public or private contract; and
 1. Have within a five-year period preceding the date of this certification had one or more public contracts (federal, state, or local) terminated for any reason related to contract performance.

If Respondent is unable to attest to any of the statements in this certification, Respondent shall attach an explanation to their offer. The inability to certify to all of the statements may not necessarily preclude the Respondent from award of a contract under this procurement.

ATTESTATION:**SIGNATURE OF AUTHORIZED****PERSON:**

(Notarization is not
required)

Signature: _____ Date: _____

Print Name and Title _____

Contact Person for this Procurement: _____

Phone: _____ Email: _____

ATTACHMENT C

NON-COLLUSION AND CONFLICT OF INTEREST CERTIFICATION

The undersigned hereby proposes and, if selected, agrees to furnish the services described in accordance with this Request for Proposal, Exhibits, Attachments, and Addenda, if applicable, for the term of the Agreement and certifies that the Respondent is not in any way involved in collusion and has no known apparent conflict of interest in submitting a Response.

Certifications

Non-Collusion The undersigned Respondent hereby certifies that it, its officers, partners, owners, providers, representatives, employees and parties in interest, including the affiant, has not in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Respondent, potential Respondent, firm or person, in connection with this solicitation, to submit a collusive or sham bid, to refrain from bidding, to manipulate or ascertain the price(s) of other Respondents or potential Respondents, or to secure through any unlawful act an advantage over other Respondents or the County. The fees, prices, and response submitted herein have been arrived at in an entirely independent and lawful manner by the Respondent without consultation with other Respondents or potential Respondents or foreknowledge of the prices or Responses to be submitted in response to this solicitation by other Respondents or potential Respondents on the part of the Respondent, its officers, partners, owners, providers, representatives, employees or parties in interest, including the affiant.

Discrimination The undersigned Respondent has not discriminated and will not discriminate against any minority, women or emerging small business enterprise or against a business enterprise that is owned or controlled by or that employs a disabled veteran in obtaining a required subcontract.

Conflict of Interest The undersigned Respondent and each person signing on behalf of the Respondent certifies, and in the case of a sole proprietorship, partnership, or corporation, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of their knowledge and belief, no member of the County Board of Commissioners, officer, employee, or person, whose salary is payable in whole or in part by the County, has a direct or indirect financial interest in the award of this Response, or in the services to which this Response relates, or in any of the profits, real or potential, thereof, except as noted otherwise herein. The undersigned hereby submits this Response to furnish all work, services, systems, materials, and labor as indicated herein and agrees to be bound by the following documents: Request for Qualifications, Addenda, Agreement, Exhibits and Attachments, and associated inclusions and references, specifications, Respondent's response, mutually agreed clarifications, appropriately priced change orders, exceptions which are acceptable to the County, and all other Respondent's submittals.

Respondent must disclose any apparent or perceived conflict of interest, including but not limited to, current or past relationships with consultants, contractors, subcontractors, or engineers associated with this Project. Furthermore, Respondent must disclose any current or past relationship as an employee of Benton County. If a perceived conflict may exist, then attach a letter of explanation disclosing the potential conflict or relationship.

Disadvantaged, Minority, Emerging Small Business (DMESB) (check box that applies):

☐ Yes ☐ No

Signature Block

The Respondent hereby certifies that the information contained in these certifications and representations is accurate, complete, and current.

Respondent's Name

Telephone Number

Mailing Address, City, State, Zip

Tax Id Number/Social Security Number

Facsimile Number

Email Address

Signature

Date

ATTACHMENT D

FINANCIAL RESOURCES

1. Has your firm ever been at any time in the last ten years the debtor in a bankruptcy case?

_____ Yes _____ No

If "yes" explain.

2. Does your firm have any outstanding judgments pending against it?

_____ Yes _____ No

If "yes" explain.

3. In the past ten years, has your firm been a party to litigation, arbitration, or mediation where the amount in dispute exceeded \$25,000?

_____ Yes _____ No

If "yes" explain.

4. In the past ten years, has your firm been a party to litigation, arbitration, or mediation on a matter related to payment to subcontractors or work performance on a contract? Check "yes" even if the matter proceeded to arbitration or mediation without court litigation.

_____ Yes _____ No

If "yes" explain.

5. Have you or any of your affiliates discontinued business operation with outstanding debts?

_____ Yes _____ No

If "yes" explain.

Authorized Signature

Printed Name

Position

Date

Provide at least six (3) references with telephone numbers and e-mail addresses. References must be able to verify the quality of your previous work in the proposed area of work. Add additional pages as needed.

E-Mail

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

GEOTECHNICAL REQUEST CHECKLIST

General Information

This document has been prepared to assist in the solicitation of geotechnical proposals for the referenced project. This list is not intended to be exact or complete and it shall be the responsibility of the proposing firm to provide the necessary/ancillary information for a thorough report meeting the needs of this project. Please ask the necessary clarifying question to the Owner, Architect, or Engineer to compile a complete report.

The Geotechnical Report should be prepared in accordance with section 1803 of the current Oregon Structural Specialty Code (OSSC). The Geotechnical Report must be signed and sealed by a licensed professional Geotechnical Engineer which presents findings of subsurface exploration and provides geotechnical recommendations regarding the design and construction of proposed new building foundations, floor slabs, vehicular concrete and asphalt pavements (light duty, standard duty, and/or heavy duty), etc. for the project. The report shall indicate the seismic site class, allowable soil bearing pressure, lateral soil pressure (active, passive, and at rest), and associated backfill requirement to obtain these pressures, etc.

General Site Conditions

- ☒ Description of existing terrain
- ☒ Brief geological history
- ☒ Brief seismic history
- ☒ Surface drainage conditions
- ☒ Groundwater conditions and associated potential design and/or construction problems
- ☒ Description of exploration and sampling methods and outline of testing methods
- ☒ Narrative of soil identification and classification by stratum
- ☒ General description of subsurface conditions/characteristics
- ☒ Design frost depth
- ☒ Clearing and grubbing recommendations
- ☒ Identification of and remediation measures for the presence of poorly consolidated or expansive materials subject to excessive settlement or expansion
- ☒ Use and treatment of in-situ materials for use as engineered fill
- ☒ Identification of hazardous materials
- ☒ Identification of Site Class and related seismic design parameters in accordance with current OSSC including site specific values as appropriate
- ☒ Discussion of seismic hazards as indicated in OSSC Section 1803.5.11 and 1803.5.12 and recommendations for mitigation
- ☒ Description for subsurface structure and/or obstructions that could be encountered
- ☒ Excavation recommendations (maximum slopes, slope protection, temporary shoring design recommendations)
- ☒ Rock excavation recommendations as appropriate
- ☒ Discussion of adverse development impact to existing groundwater characteristics and recommendations for remediation as appropriate
- ☒ Recommendations for the treatment of abandoned utilities and underground structures
- ☒ Description of laboratory test borings and results
- ☒ Plot plan, drawn to scale, showing test pits, borings, or explorations
- ☒ Test pit, boring, and exploration logs which identify:
 - ☒ Sample number and sampling method
 - ☒ Unconfined compressive strength
 - ☒ Standard penetration test values
 - ☒ Subgrade modulus

- ☒ Location of water table
- ☒ Location and classification of rock
- ☒ Location of obstructions
- ☒ Atterberg tests
- ☒ Compaction tests
- ☒ Consolidation tests
- ☒ Triaxial compressive test
- ☒ Contamination
- ☒ Other pertinent data deemed necessary by the geotechnical engineer for design recommendations

Recommendations for Design

- ☒ Infiltration rates to properly size and locate stormwater management facilities (must be performed at the proposed facility). ALL INFILTRATION TESTING METHODS/PROCEDURES SHALL BE PERFORMED USING SPECIFIC REQUIREMENTS OF THE AGENCY HAVING JURISDICTION. Testing criteria, depth of tests, numbers of tests, and reporting requirements vary per Agency. It shall be the responsibility of the Geotechnical Engineer to coordinate with the Owner, Architect, or Engineer to assist with determination of testing requirements
- ☒ Vehicular pavement design – with consideration to handle access and loading weight requirements for an 80,000-pound fire engine/ladder truck:
 - ☒ Standard duty asphalt
AND/OR
 - ☒ Light-duty and heavy-duty asphalt
AND/OR
 - ☒ Concrete paving
AND/OR
 - ☒ Gravel paving
- ☒ Pedestrian pavement design
- ☒ General foundation system recommendations (conventional, deep foundations, etc.)
- ☒ Allowable soil bearing values and minimum dimensions for shallow foundations as appropriate
- ☒ Feasible deep foundation types and allowable capacities, where applicable, including allowable tension (pull-out) and depth of embedment as appropriate
- ☒ Foundation/slab drainage recommendations as appropriate
- ☒ Anticipated initial and long-term foundation settlement (total and differential)
- ☒ Slab-on-grade recommendations
- ☒ Retaining structure design recommendations:
 - ☒ Retaining and grade separation structure type recommendations
 - ☒ Saturated unit weight
 - ☒ Active and passive design pressures for cantilevered and restrained walls
 - ☒ Sliding coefficient
 - ☒ Backfill recommendations
 - ☒ Behind wall drainage system recommendations
- ☒ Foundation design recommendations for pole supported structures such as signage and luminaire structures

Required Documentation

- ☒ Title Page, Cover Letter, Table of Contents
- ☒ Full summary of findings addressing those items listed in the ‘Scope of Work’ above
- ☒ Plot plan, drawn to scale, showing test pits, borings, or explorations
- ☒ Number of borings, depth of borings, and analysis of borings to be utilized
- ☒ Results of test pits, borings, investigations, etc.
- ☒ Conclusions and Recommendations based on the findings from those listed in the ‘Scope of Work’ above
- ☒ Structural design will be evaluated and completed based on:
 - ☒ ASCE 7-16
AND/OR
 - ☒ ASCE 41-17
- ☒ Description of the methods used to evaluate the site for each hazard

- ☒ Recommendations for hazard mitigation, if required
- ☒ Sketches and detail drawings as applicable to special circumstances being described in the report's Conclusions and Recommendations
- ☒ Calculations as applicable to special circumstances being described in the report's Conclusions and Recommendations
- ☒ Laboratory testing results
- ☒ Test pit and boring logs

ATTACHMENT G*CERTIFICATION OF INSURANCE REQUIREMENTS*

Contractor shall at all times maintain in force at Contractor's expense for insurance noted below.

Workers' Compensation insurance in compliance with ORS 656.017, which requires subject employers to provide workers' compensation coverage in accordance with ORS Chapter 656 or CCB (Construction Contractors Board) for all subject workers. Contractor and all subcontractors of Contractor with one or more employees must have this insurance unless exempt under ORS 656.027. **Employer's Liability Insurance with coverage limits of not less than \$1,000,000 must be included.** THIS COVERAGE IS REQUIRED. If Contractor does not have coverage, and claims to be exempt, Contractor must indicate exemption within their Bid/Proposal submittal letter with qualified reasons for exemption, see ORS 656.027. Out-of-state Contractors with one or more employees working in Oregon in relation to this contract must have Workers' Compensation coverage from a state with extraterritorial reciprocity, or they must obtain Oregon specific Workers' Compensation coverage ORS 656.126.

Professional Liability insurance covering any damages caused by error, omission or any negligent acts of the Contractor, its subcontractors, agents, officers, or employees' performance under this Contract. **Combined single limit per occurrence shall not be less than \$2,000,000. Annual aggregate limit shall not be less than \$2,000,000.**

☐ If this box is checked, the limits shall be \$1,000,000 per occurrence and \$1,000,000 in annual aggregate.

☒ Required by County ☐ Not Required by County

Commercial General Liability insurance with coverage satisfactory to the County on an occurrence basis. **Combined single limit shall not be less than \$2,000,000 per occurrence for Bodily Injury and Property Damage and annual aggregate limit for each shall not be less than \$2,000,000.** Coverage may be written in combination with Automobile Liability Insurance (with separate limits). **Annual aggregate must be on a "per project basis".**

☐ If this box is checked, the limits shall be \$1,000,000 per occurrence and \$2,000,000 in annual aggregate.

☐ If this box is checked, the limits shall be \$5,000,000 per occurrence and \$5,000,000 in annual aggregate.

☒ Required by County ☐ Not Required by County

Automobile Liability covering all owned, non-owned, or hired vehicles. If there are no owned autos this coverage may be written in combination with the Commercial General Liability Insurance (with separate limits). **Combined single limit per accident shall not be less than \$2,000,000.**

☐ If this box is checked, the limits shall be \$1,000,000 per accident.

☐ If this box is checked, the limits shall be \$5,000,000 per accident.

☒ Required by County ☐ Not Required by County

Property of Others in Transit (Cargo) covering all County owned property / equipment being hauled by contractor. **Limit per occurrence shall not be less than \$100,000.**

☐ Required by County ☒ Not Required by County

Coverage must be provided by an insurance company authorized to do business in Oregon or rated by A.M. Best's Insurance Rating of no less than A-VII or County approval. Contractor's coverage will be primary in the event of loss. Contractor shall furnish a current Certificate of Insurance to the County. Contractor is also responsible to provide renewal Certificates of Insurance upon expiration of any of the required insurance coverage.

Contractor shall immediately notify the County of any change in insurance coverage. The certificate shall also state the deductible or retention level. The County must be listed as an Additional Insured by endorsement of any General Liability Policy on a primary and non-contributory basis. Such coverage will specifically include products and completed operations coverage.

The Certificate shall state the following in the description of operations: "Additional Insured Form (include the number) attached. The form is subject to policy terms, conditions and exclusions". A copy of the additional insured endorsement shall be attached to the certificate of insurance. If requested complete copies of insurance policies shall be provided to the County.

Certificate holder should be: Benton County Public Works, 360 SW Avery Avenue, Corvallis OR 97333 . Certificates of Insurance can be faxed to 541-766-6891 or emailed to pwinfo@co.benton.or.us

(C) The particular goods or services are for use in a pilot or an experimental project.

(D) Other findings that support the conclusion that the goods or services are available from only one source. [Ord. 2000-162; Ord. 2005-205; Ord. 2010-0234; Ord. 2021-0303; formerly BCC 2.710]

2.730 Single Manufacturer, Multiple Sellers.

(1) The County may specify a product or service available from only one manufacturer but available through multiple sellers, after documenting the procurement file with the County's information required in this subsection, and subject to the following:

(a) If the total purchase is \$15,000 or more but does not exceed \$150,000 and a comparable product or service is not available under an existing state requirements contract, competitive quotes shall be obtained and retained in the procurement file; or

(b) If the amount of the purchase exceeds \$150,000, the product or service shall be obtained through competitive bidding.

(2) If the County intends to make several purchases of the product of a particular manufacturer or seller for a period not to exceed five years, it may so state in the solicitation file and in the solicitation document, if any. Such documentation shall be sufficient notice as to subsequent purchases. If the total purchase amount is estimated to exceed \$150,000, this shall be stated in the advertisement for bids or proposals. [Ord. 85-0002; Ord. 2000-162; Ord. 2005-205; Ord. 2010-0234; Ord. 2014-0260; formerly BCC 2.715]

IX. APPEALS

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. [Ord. 85-0002; Ord. 2000-162; Ord. 2005-205]

Agenda #: PH1 Exhibit #: 1
 Date: 10/4/22
 Submitted by: Jeff Maitland

COMPARISON OF CONSULTING FIRMS

Category	NV5	Foundation Engineering
Local Experience	9 Projects (2.2% of FE)	409 Projects 12 Projects within Circle Blvd. corridor east of Hwy 99: McGraths, K Mart, Safeway, Wilco, Staples, Carmike Theaters, Applebees, Big 5, AccuFab, Alliance Storage, Walnut Creek and Videx.
Experience Working Directly with City and County	"not worked much with City, none with County"	40 years of working with City and County on bridges, roads, landslides, water tanks, sewerlines, etc. Last 6 months: Fern Rd. Slide, BC Fairgrounds Events Center, West Campus Currently have an on-call contract with the county
Experience of Design Team	1 local project listed in resume of team	19 local projects listed in team's resume 25 additional local projects highlighted in SOQ 44 total local projects highlighted
Local Office	No	Continuous presence since 1982 (40 years)
Response Time	1 ¼ to 1 ½ hrs (min.)	5 minutes
Travel Expenses	2.5 hrs travel plus mileage	none
Unique Qualifications	• Hire interns • Listen • Work hard	• Design team with decades of local experience • Design team with decades of directly working with the City and County • Experience with projects similar to the Courthouse • 40-year continuous local presence • Rapid response time • No travel time or mileage costs

OLD BUSINESS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 10/04/22

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Community Development

Contact Name * Darren Nichols

Phone Extension * 5417666394

Meeting Attendee Name * Darren Nichols, Sam Imperati

Agenda Item Details



Item Title * Questions raised by the Board of Commissioners and Facilitator relating to the Benton County Talks Trash Workgroup

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 * 45 minutes

Board/Committee Involvement *

☒ Yes

☐ No

**Name of
Board/Committee**

Benton County Talks Trash Workgroup,
Planning Commission, SWAC/DSAC

Advertisement*

☐ Yes

☒ No

Item Issues and Description

Identified Salient Issues*

The Board will provide direction to the Benton County Talks Trash Workgroup, the County Planning Commission, and the Solid Waste Advisory Council and Disposal Site Advisory Committee.

Options*

The Board may choose to provide clarification and direction to one or more of the Board's appointed bodies. The Board may also choose to deliver messages directly to one or more of its appointed bodies.

Fiscal Impact*

- ☐ Yes
☒ No

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](#).

Mandated Service Description ^{*}

If this agenda checklist describes a mandated service or other function, please describe here.
Benton County hosts a regional solid waste facility and is party to contractual franchise and hauling agreements. Benton County has adopted Comprehensive plan and code policies, including zoning code provisions directly relating to solid waste and disposal. The Benton County Board also appoints a disposal site advisory committee as required under Oregon Revised Statute.

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 ^{*}

Solid waste and disposal impacts every individual and organization in Benton County. The related impacts include all determinants of sustainability (social, environmental and economic) and the goals of the 2040 Thriving Communities Initiative. Therefore, Benton County's policy choices impact most if not all of the Core Values.

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***

Solid waste and disposal impacts every individual and organization in Benton County. The related impacts include all determinants of sustainability (social, environmental and economic) and the goals of the 2040 Thriving Communities Initiative. Therefore, Benton County's policy choices impact most if not all of the Core Values, Focus Areas and Vision.

Item Recommendations and Motions

Staff

Recommendations *

Staff recommends the Board discuss, provide guidance, and take actions as appropriate to address inquiries outlined in the attached memo.

Meeting Motions *

I move to ...

Based on the Board's discussion, the Board may choose to take one or more actions to answer or clarify questions in the memo, including actions that begin with the following:

I move to direct the Board's appointed bodies (one or more) to . . .

I move to direct staff to . . .

I move to direct the Board (chair or member) to . . .

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.

BOC Memo - BCTT - 9.29.2022.pdf	164.64KB
Possible Questions for Board Discussion 10_4.pdf	238.67KB
benton_county_talks_trash_charter_and_bylaws_a...	1.22MB
23-22_final.pdf	
Planning Commission Bylaws 2016.pdf	145.77KB
SWAC Bylaws 2020.pdf	229.19KB
DSAC ByLaws 2020.pdf	235.11KB

Comments (optional) If you have any questions, please call ext.6800

Department
Approver

Comments

Signing as Dept. Head

Signature

Teresa Farley

Approvals Required ☒ Counsel

☐ Finance

☐ HR

Counsel Approver TERESA FARLEY

**County
Administrator
Approver** TERESA FARLEY

Comments

Counsel Approval

Comments

signing on behalf of County Counsel.

Signature

Teresa Farley

County Administrator Approval

Page 199 of 231

Comments

Signing on behalf of County Administrator.

Signature

Teresa Farley

Comments

Signature



Amanda Makepeace

MEMORANDUM

TO: Benton County Board of Commissioners

FR: Memo prepared by Darren Nichols, Community Development Director

DT: September 29, 2022

RE: Questions raised by the Board of Commissioners and Facilitator relating to the Benton County Talks Trash Workgroup

Background

During the Benton County Talks Trash (BCTT) Workgroup's first month of work, including twice monthly staff updates to the Board of Commissioners, and in follow-up discussions with members of the County Board, commissioners have inquired about the process, the [Workgroup's Charter](#), and ways the Board can support the Workgroup's efforts.

The Board's questions outlined below along with the attached questions from the Workgroup facilitator, will benefit from the Board's formal discussion and direction:

- What should the relationship be between appointees of the Planning Commission and the Solid Waste Advisory Council (SWAC)/Disposal Site Advisory Committee (DSAC) and their appointing bodies? What are the roles and responsibilities of the representative members to their appointing bodies and vice versa?
- What issues should be directed to the "One Table"¹ described in the Workgroup Charter and what, if any, questions should be discussed at other tables during the Workgroup process? Should the other issues be discussed while the workgroup is underway or postponed?
- What are the mandatory responsibilities and basic legal requirements of the Planning Commission? Of SWAC? Of DSAC?
 - When is the SWAC or DSAC annual report due and to whom do those bodies report?

¹ **Article XIII. Additional Provisions . . . B. "One Table:"** It is the BOC's preference that the WORKGROUP be the "One Table" for issues related to the above Charge. It encourages community members, interested parties, SWAC/DSAC, and the Planning Commission to direct their input there. [Benton County Talks Trash Workgroup Charter](#), page 9.

- What is the role and responsibility of staff to SWAC/DSAC?
- What are the Board's expectations for its appointed bodies during this interim "bridge" Workgroup?
- What steps would the Board like to take in situations where roles are not filled and/or expectations for entities identified in the Charter are not met?

What other questions would the Board like to raise and what more would the Board want or need to answer these questions and/or provide direction?

Discussion

The Attachments below provide context to help answer some of the questions above.

Benton County staff and the Workgroup Facilitator welcome discussion, questions, and direction from the Board on these questions and others the Board may have. Following the Board's response to these questions, the Board may consider appointing one or more members to attend the next BCTT workgroup meeting (October 6, 2022) and share this messaging and direction.

The Board may also consider directing messages to its appointed bodies, including but not limited to the Planning Commission, the Solid Waste Advisory Council/Disposal Site Advisory Committee, and other entities listed in the Workgroup Charter.

Attachments

9/29/2022 Email from Sam Imperati re: Possible Questions for Board Discussion 10_4

Board's adopted Workgroup Charter

Planning Commission bylaws

SWAC bylaws

DSAC bylaws

From: [Sam Imperati](#)
To: [WYSE Nancy](#); [MALONE Patrick](#); [AUGEROT Xanthippe](#)
Cc: [KERBY Joseph](#); [NICHOLS Darren](#)
Subject: Possible Questions for Board Discussion 10/4
Date: Thursday, September 29, 2022 6:49:14 PM
Attachments: [image002.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon, Commissioners:

Here are some additional questions for your potential consideration.

1. To what extent, if any, does the Board want to add, remove, or edit the following Charge elements, which can be found in more detail here:
www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/benton_county_talks_trash_charter_and_bylaws_approved_8-23-22_final.pdf ?

Section A: Common Understandings

Section B: Existing Criteria & Info Requirements for Land Use Review Process of any Landfill Expansion

Section C: Scope the Necessary Tasks to Start a L-T Sustainable Materials Management Plan Process

Section D: Input on Additional Topics Assessment Report

Section E: Public-facing Document and Community Education Campaign

2. To what extent, if any, do you want the Workgroup to make a recommendation on:
 - a. whether and/or when the landfill should be closed
 - b. reducing the amount of waste that goes into the landfill, and
 - c. options for the County's solid waste future?
3. I recently received a suggestion from a Workgroup member to reach out to a non-member and ask them how much time they need on our next meeting agenda as they would like a slot. I have not done that yet because I would like your direction on this precedent-setting request. Is this something for which you would like me to create agenda time?
4. Finally, are one or more of you available to attend our October 8th meeting at approximately 3:00 to hear from the Workgroup?

Happy to discuss. I will be online for your Tuesday meeting.

Thanks, Sam



Sam Imperati, JD | Executive Director



11524 SW Vacuna Ct. | Portland, OR 97219-8901

(P) 503.244.1174 | (C) 503.314.1156 | (F) 503.244.1038

SamImperati@ICMresolutions.com

ICMresolutions.com

BYLAWS PLANNING COMMISSION

ARTICLE 1 Name

The name of this organization shall be the Benton County Planning Commission.

ARTICLE 2 Function

The Commission shall assist the Benton County Board of Commissioners, and shall have the following powers and duties:

- (1) Prepare recommendations for the Board of Commissioners regarding proposed amendments to the County's land use and development regulations;
- (2) Make decisions on certain quasi-judicial land use matters;
- (3) The Commission shall serve as the Committee for Citizen Involvement (CCI).

ARTICLE 3 Membership

Section 1. Number and Selection.

The Commission shall consist of nine (9) members, appointed by the Board of Commissioners.

Section 2. Terms of Office.

Terms shall be four (4) years. Any member may serve two (2) successive terms (not inclusive of any appointment to an unexpired term) if reappointed by the Board of Commissioners. Terms begin on January 1 and end on December 31. Terms shall be staggered.

Section 3. Responsibilities.

Commission members shall regularly attend meetings of the Commission and any meetings of the subcommittees to which they are appointed, and shall fulfill other duties as appointed by the Chair.

Section 4. Termination of Membership.

The Board of Commissioners may remove Commission members as follows:

- (1) Failure to attend three or more consecutive regular Commission meetings.
- (2) For cause following public hearing, for reasons including, but not limited to:
 - (a) Commission of a felony;
 - (b) Corruptness;

- (c) Intentional violation of open meetings law;
 - (d) Failure to declare conflicts of interest;
 - (e) Incompetence.
- (3) Without cause pursuant to Benton County Code chapter 3.035.

Section 5. Vacancies.

The Board of Commissioners shall make appointments to fill vacancies as they occur. Such appointments shall be for the duration of the unexpired term of that position.

**ARTICLE 4
Officers**

The following officers shall be elected from the Commission membership during the first meeting of each calendar year:

Chair: The Chair shall have the responsibility of conducting all meetings and hearings in an orderly manner. The Chair may not initiate or second a motion.

Vice Chair: The Vice Chair shall be responsible for conducting the meetings and hearings in the absence of the Chair.

The Development Director of Benton County, or his/her designee, shall serve as the Recording Secretary to the Commission and shall keep a permanent record of proceedings of the Commission.

**ARTICLE 5
Subcommittees**

Section 1. Creation of Subcommittees.

The Commission shall have the power to create subcommittees with such responsibilities as the Commission directs.

Section 2. Naming of Subcommittees.

The Chair shall appoint and charge each subcommittee with its responsibilities, shall appoint the members of the subcommittee, and shall appoint the chair of the subcommittee in the event the subcommittee consists of more than one person. The subcommittee chair shall be responsible for scheduling meetings, assigning specific tasks within the mandate of the subcommittee, and reporting to the Commission concerning the work of the subcommittee.

**ARTICLE 6
Advisors**

The Commission and the subcommittees may call on lay citizens and professionals as advisors without voting rights to provide technical assistance, participate in deliberations, and attend meetings to the extent deemed appropriate by the Chair.

ARTICLE 7

Meetings

Section 1. Regular Meetings.

Meetings shall be open to the public, and shall be regularly scheduled monthly. All foreseeable absences should be reported promptly in advance to the Recording Secretary. Meetings of the CCI shall be at least once every three (3) months, and shall be scheduled to coincide with the regularly scheduled meetings of the Commission.

Section 2. Special Meetings.

Special meetings may be called by the Chair, the Vice Chair in the Chair's absence, by a majority of the membership, or by the Board of Commissioners by giving the members and the press written or verbal notice at least three (3) days before the meeting.

Section 3. Quorum.

A quorum shall consist of five (5) members of the Commission. All business conducted with a majority vote of the quorum shall stand as the official action of the Commission. If both the Chair and Vice-Chair are absent at any meeting, the Commission shall elect a temporary Chair for that particular meeting.

Section 4. Voting.

Motions may be made and seconded by any member of the Commission except the Chair. Each Commission member shall vote unless there is a recognized conflict of interest or unless the Commission member was unable to consider the full record in the matter, in which situations the Commission member shall abstain. An abstention shall not be considered to be a silent vote. A silent vote shall count as an affirmative vote. A majority vote of those present shall be required to pass any motion before the Commission. All voting shall be by calling of the roll by the Recording Secretary.

Section 5. Agenda.

The Chair, with the assistance of the Development Director, or his/her designee, shall prepare the agenda of items requiring Commission action, and shall add items of business as may be requested by individual Commission members and/or the Board of Commissioners. The order of business at all meetings shall be set forth in a Rule of Procedure.

Section 6. Notice.

All members shall be given written notice of time, date, location, and purpose of the meetings at least three (3) days before a regular Commission meeting, and written or verbal notice at least three (3) days before a special meeting. In the event a member is provided with less than three (3) days written notice of a regular meeting, or less than three (3) days actual notice of a special meeting, and objects to the proceedings based on a lack of adequate notice, all business conducted at that meeting shall be reconsidered at the next regular meeting or at a special meeting called with adequate notice.

Section 7. Minutes.

Minutes recording all motions and subsequent action including the number of yes or no votes on each issue shall be taken. In addition, all conflicts of interest shall be noted. Minutes of all meetings shall be maintained by the Community Development Department.

ARTICLE 8
Public Records and Meeting Law

The Commission is a public body for the purposes of ORS Chapter 192, and is subject to the statutory procedures related to public records and meetings.

ARTICLE 9
Parliamentary Procedure

The current edition of Robert's Rules of Order shall govern the Commission where not inconsistent with these bylaws or any special rules of order the Commission shall adopt.

ARTICLE 10
Conflict of Interest

A conflict of interest shall be declared by any member who has a conflict of interest as defined by Oregon law prior to taking any action on the matter causing the conflict.

ARTICLE 11
Bylaw Amendments

These bylaws may be amended by the Board of Commissioners upon its own motion. Prior to an amendment, the Board of Commissioners may request a recommendation from the Commission which may recommend changes at any regular meeting of the Commission by a two-thirds vote of the membership, provided that the recommended amendment has been submitted in writing to the Commission members no later than three days before the regular meeting.

Adopted this 16th day of August, 2016.

Signed this 16th day of August, 2016.

BENTON COUNTY BOARD OF COMMISSIONERS



Annabelle Jaramillo, Chair

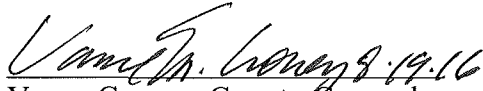


Anne Schuster, Commissioner



Jay Dixon, Commissioner

APPROVED AS TO FORM:



Vance Croney, County Counsel

BYLAWS DISPOSAL SITE ADVISORY COMMITTEE

ARTICLE 1

Name

The name of this organization shall be the Disposal Site Advisory Committee (the "Committee").

ARTICLE 2

Function

The Committee shall assist the Benton County Board of Commissioners in the planning and implementation of disposal site management, including (but not limited to) the following:

- (1) Review with the permittee of the regional disposal site including, but not limited to, siting, operation, closure, and long-term monitoring of the regional disposal site; and
- (2) Provide a forum for community member comments, questions and concerns about the regional disposal site and promote a dialogue between the community and the owner or operator of the regional disposal site; and
- (3) Prepare an annual written report summarizing the local community member's concerns and the manner in which the owner or operator is addressing those concerns. The report shall be considered by the Department of Environmental Quality in issuing and renewing a solid waste permit.

ARTICLE 3

Membership

Section 1. Number and Selection: The Committee shall consist of eleven (11) members, appointed by the Board of Commissioners, as follows:

The ten (10) members of the Solid Waste Advisory Council;
One (1) designated employee of the permittee.

The Board of Commissioners may appoint ex officio members entitled to participate in proceedings of the Committee but not to vote, including but not limited to: the Community Development Director or his/her designee; a collection and a disposal franchise holder; a person holding a permit; and a person lawfully engaged in providing recycling or reuse service or the promotion or education for such service.

Section 2. Terms of Office: Terms for members of the Solid Waste Advisory Council shall be as governed by that Council's by-laws. Members may not serve more than two (2) successive terms; partial terms shall not be counted toward the successive term limit. The term of the designated employee of the permittee shall be 2 years. Terms begin on January 1 and end on December 31.

Section 3. Responsibilities: Committee members shall regularly attend meetings of the Committee and any meetings of the subcommittees to which they are appointed, and shall fulfill other duties as appointed by the Chair.

Section 4. Termination of Membership: The Board of Commissioners may remove Committee members as follows:

- (1) Failure to attend three or more consecutive regular committee meetings.
- (2) For cause following public hearing, for reasons including, but not limited to:
 - (a) Commission of a felony;
 - (b) Corruptness;
 - (c) Intentional violation of open meetings law;
 - (d) Failure to declare conflicts of interest;
 - (e) Incompetence.
- (3) Without cause pursuant to Benton County Code chapter 3.035.

Section 5. Vacancies: The Board of Commissioners shall make appointments to fill vacancies as they occur. Such appointments shall be for the duration of the unexpired term of that position.

ARTICLE 4 Officers

The following officers shall be elected from the Committee membership during the first meeting of each calendar year:

Chair: The Chair shall have the responsibility of conducting all meetings and hearings in an orderly manner. The Chair may not initiate a motion, but may second, and shall vote on each issue after the question is called. However, in the event the Chair's vote shall create a tie vote, the Chair shall refrain from voting.

Vice Chair: The Vice Chair shall be responsible for conducting the meetings and hearings in the absence of the Chair.

ARTICLE 5 Subcommittees

Section 1. Creation of Subcommittees: The Committee shall have the power, with the concurrence of the Community Development Department, to create subcommittees with such responsibilities as the Committee directs.

Section 2. Naming of Subcommittees: The Chair, with the concurrence of the Community Development Department, shall appoint and charge each subcommittee with its responsibilities, shall appoint the members of the subcommittee, and shall appoint the chair of the subcommittee in the event the subcommittee consists of more than one person. The subcommittee chair shall

be responsible for scheduling meetings, assigning specific tasks within the mandate of the subcommittee, and reporting to the Committee concerning the work of the subcommittee.

ARTICLE 6

Advisors

The Committee and the subcommittees may call on lay community members and professionals as advisors without voting rights to provide technical assistance, participate in deliberations, and attend meetings to the extent deemed appropriate by the Chair.

ARTICLE 7

Meetings

Section 1. Regular Meetings: Meetings shall be held quarterly, or more frequently when called by the Chair of the Committee or the Board of Commissioners.

Section 2. Special Meetings: Special meetings may be called by the Chair or by the Board of Commissioners by giving the members and the press written or verbal notice at least 24 hours before the meeting.

Section 3. Quorum: A quorum shall consist of a majority of the sitting members of the committee. All business conducted with a majority vote of the quorum shall stand as the official action of the Committee.

Section 4. Voting: Each Committee member shall have one vote. In the event the Chair's vote shall create a tie vote, the Chair shall refrain from voting.

Section 5. Staffing: Staff for recording the proceedings of the Committee shall be provided by the County.

Section 6. Agenda: The Chair, with the assistance of the Community Development Director, or his/her designee, shall prepare the agenda of items requiring Committee action, and shall add items of business as may be requested by individual Committee members and/or the Board of Commissioners.

Section 7. Notice: All members shall be given written notice of time, date, location, and purpose of the meetings at least three (3) days before a regular Committee meeting, and written or verbal notice one (1) day before a special meeting. In the event a member is provided with less than three (3) days written notice of a regular meeting, or less than one (1) day actual notice of a special meeting, and objects to the proceedings based on a lack of adequate notice, all business conducted at that meeting shall be reconsidered at the next regular meeting or at a special meeting called with adequate notice.

Section 8. Minutes: Minutes recording all motions and subsequent action including the number of yes or no votes on each issue shall be taken. In addition, all conflicts of interest shall

be noted. Minutes of all meetings shall be maintained by the Community Development Department.

ARTICLE 8

Public Records and Meeting Law

The Committee is a public body for the purposes of ORS Chapter 192, and is subject to the statutory procedures related to public records and meetings.

ARTICLE 9

Parliamentary Procedure

The current edition of Robert's Rules of Order shall govern the Committee where not inconsistent with these bylaws or any special rules of order the Committee shall adopt.

ARTICLE 10

Conflict of Interest

A conflict of interest shall be declared by any member who has a conflict of interest as defined by Oregon law prior to taking any action on the matter causing the conflict.

ARTICLE 11

Bylaw Amendments

These bylaws may be amended by the Board of Commissioners upon its own motion. Prior to an amendment, the Board of Commissioners may request a recommendation from the Committee which may recommend changes at any regular meeting of the Committee by a two-thirds vote of the sitting membership, provided that the recommended amendment has been submitted in writing to the Committee members no later than three days before the regular meeting.

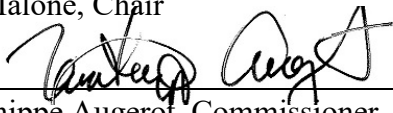
Adopted this 22nd day of September, 220.

Signed this 22nd day of September, 2020.

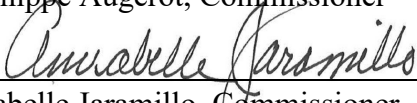
BENTON COUNTY BOARD OF COMMISSIONERS



Pat Malone, Chair



Xanthippe Augerot, Commissioner



Annabelle Jaramillo, Commissioner

Approved as to form:



Vance M. Croney, County Counsel

**BYLAWS
SOLID WASTE ADVISORY COUNCIL**

**ARTICLE 1
PURPOSE**

The purpose of the Solid Waste Advisory Council (SWAC) is to assist the Board of Commissioners (Board) in Planning and implementation of solid waste management, pursuant to BCC Chapter 23, the Benton County Solid Waste Management Ordinance.

**ARTICLE 2
MEMBERSHIP**

A. Membership shall consist of ten (10) voting members, and three (3) ex-officio, not voting members. All members shall be appointed by the Board. To the extent feasible, the Board shall select members of the committee from each of the following groups:

- (1) Residents residing near or adjacent to the regional disposal site.
- (2) Owners of real property adjacent to or near the regional disposal site.
- (3) Persons who reside in or own real property within the county in which the regional disposal site is located
- (4) Local organizations and community member interest groups whose majority of members either:
 - (a) Are electors of the county in which the regional disposal site is located; or
 - (b) Own real property in the county in which the regional disposal site is located.
- (5) Up to three (3) ex-officio, non-voting members representing any of the following:
 - (a) Education
 - (b) Technology
 - (c) Health
 - (d) Construction
 - (e) Food Service
 - (f) Property Management
 - (g) Manufacturing
 - (h) Waste Management
 - (i) Other industries in the county

SWAC members appointed as individual members of the public are not precluded from being employed in the above sectors; however, they are appointed not as representatives of their employer but as individual members of the public.

Of the SWAC members appointed as individual members of the public, the Board of Commissioners will strive for geographic distribution across the county, and will encourage the incorporated cities to submit nominees, but will not require membership to consist of a certain number of people from a certain area or city.

B. Terms of office shall be three (3) years. Any member may serve successive terms if reappointed by the Board of Commissioners. Terms begin on January 1 and end on December 31. Members may not serve more than two (2) successive terms; partial terms

shall not be counted toward the successive term limit. Terms shall be staggered, with no more than four (4) of the members' terms expiring each year.

- C. Council members shall regularly attend meetings of the Council and any meetings of the subcommittees to which they are appointed, and shall fulfill other duties as appointed by the Chair.
- D. Mid-term vacancies shall be filled by appointment of the Board of Commissioners as they occur. Such appointments shall be for the duration of the unexpired term of that position.
- E. The Board of Commissioners may remove Council members as follows:
 - (1) Failure to attend three or more consecutive regular council meetings.
 - (2) For cause following public hearing, for reasons including, but not limited to:
 - (a) Commission of a felony;
 - (b) Corruptness;
 - (c) Intentional violation of open meetings law;
 - (d) Failure to declare conflicts of interest;
 - (e) Incompetence.
 - (3) Without cause pursuant to Benton County Code chapter 3.035.

ARTICLE 3 COMMITTEES

- A. Creation of Committees: The Council, with the concurrence of the Community Development Department, shall have the power to create standing committees and subcommittees with such responsibilities as the Council directs.
- B. Naming of Committees: The Chair, with the concurrence of the Community Development Department, shall appoint and charge each standing committee and subcommittee with its responsibilities, shall appoint the members of each committee, and shall appoint the chair of each committee in the event the committee consists of more than one person. The committee chair shall be responsible for scheduling meetings, assigning specific tasks within the mandate of the committee, and reporting to the Council concerning the work of the committee.

ARTICLE 4 ADVISORS

The Council and the subcommittees may call on lay community members and professionals as advisors without voting rights to provide technical assistance, participate in deliberations, and attend meetings to the extent deemed appropriate by the Chair.

ARTICLE 5 MEETINGS

- A. Regular Meetings: The SWAC shall establish regular meetings, and shall meet at least quarterly.
- B. Work sessions: Work sessions may be called by the Chair or by the Board of Commissioners.
- C. Notice: All members shall be given written notice of time, date, location, and purpose of the meeting at least seven (7) days before a regular SWAC meeting. In the event a member is provided with less than seven (7) days written notice of a regular meeting and objects to the proceedings based on a lack of adequate notice, all business conducted at that meeting shall be reconsidered at the next regular meeting called with adequate notice. Written or verbal notice shall be given at least 24 hours before a work session. Notice shall be provided to the press at least three (3) days before a regular meeting and shall state that the meeting is a public meeting where deliberations of the Council will take place and that any person may discuss relevant issues with the Council at that time. Notice shall be provided to the press at least 24 hours in advance of a work session.
- D. Quorum: A quorum shall consist of a majority of the sitting members of the council. All business conducted with a majority vote of the quorum shall stand as the official action of the Council.
- E. Voting: There shall be no voting by proxy. All members, including officers, are entitled to vote. In the event the chair's vote creates a tie vote, the chair shall refrain from voting.
- F. Staffing: Staff for recording the proceedings of the Council shall be provided by the County.
- G. Agenda: The Chair, with the assistance of the Community Development Director, or his/her designee, shall prepare the agenda of items requiring Council action, and shall add items of business as may be requested by individual Council members and/or the Board of Commissioners.
- H. Minutes: The Recording Secretary shall maintain written minutes of all meetings. Minutes shall record all motions and subsequent action including the number of yes or no votes on each issue. In addition, all conflicts of interest shall be noted. Minutes will be distributed to members at least seven (7) days prior to the next scheduled regular meeting. Minutes must be approved or amended and approved by the SWAC prior to becoming a matter of record. Approved minutes of all meetings shall be maintained by the Health Department and a copy forwarded to the Commissioners.
- I. Public Records and Meeting Law: The SWAC is a public body for purposes of ORS 192 and thereby subject to the statutory procedures relating to public records and meetings.
- J. Parliamentary Procedure: The current edition of Robert's Rules of Order shall generally govern the SWAC in all cases to which they are applicable and in which they are not inconsistent with these by-laws and any special rules of order that the Board may adopt.

- K. Conflict of Interest: A conflict of interest shall be declared by any member who has a conflict of interest as defined by Oregon law prior to taking any action on the matter causing the conflict.

ARTICLE 6 OFFICERS

- A. The SWAC shall select a Chair and a Vice-Chair at its first meeting of each calendar year.
- B. The Chair shall preside at all meetings of the SWAC; shall call special meetings; shall sit ex-officio on all committees; shall assist in preparing the meeting agenda; shall prepare such correspondence as directed by the SWAC; shall present with staff recommendations to the Board and to the Community; and shall represent the SWAC and conduct such business as the SWAC directs.
- C. The Chair may not initiate a motion, but may second, and shall vote on each issue after the question is called.
- D. The Chair shall serve for a term of one year, and not more than two consecutive years. A Chair who has served more than one-half of a term is considered to have served a full term in that office.
- E. The Vice-Chair shall act as Chair in the Chair's absence.

ARTICLE 7 AMENDMENTS

These bylaws may be amended by the Board of Commissioners upon its own motion. Prior to an amendment, the Board of Commissioners may request a recommendation from the SWAC, which may recommend changes at any regular meeting of the SWAC by a two-thirds vote of the sitting membership, provided that the recommended amendment has been submitted in writing to the SWAC members no later than seven days before the regular meeting.

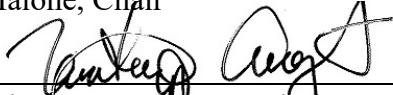
Amended this 22nd day of September, 2020.

Signed this 22nd day of September, 2020.

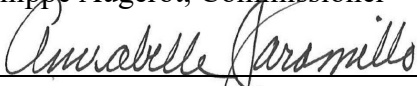
BENTON COUNTY BOARD OF COMMISSIONERS



Pat Malone, Chair



Xanthippe Augerot, Commissioner



Annabelle Jaramillo, Commissioner

Approved as to form:



Vance M. Croney, County Counsel

“BENTON COUNTY TALKS TRASH”
WORKGROUP Charter and Bylaws
BOC Approved on 8-23-2022

The Benton County Board of Commissioners (BOC) has established the “Benton County Talks Trash” Workgroup (WORKGROUP) and has adopted this Charter and Bylaws document pursuant to [Code Chapter 3](#) to govern its work.

I. Background

Benton County (County) contracted with Oregon Consensus to conduct a process assessment with the following Scope:

Benton County and key stakeholders seek assistance identifying and implementing a constructive path forward relating to sustainable materials management and the future of solid waste disposal in the Mid-Willamette Valley, including at the Coffin Butte regional landfill. Following a [December 7, 2021] Benton County Planning Commission denial of a proposed conditional use permit to expand the landfill, key participants recognize that a constructive path forward could benefit from the assistance of a third-party facilitator. Key stakeholders believe that an objective assessment of the situation, conducted by an impartial third party, would be a good first step. (Emphasis added.)

Based on this original Scope, the County asked Oregon Consensus to complete a third-party situational assessment. The Benton County Solid Waste Situational Assessment Report (Assessment Report) can be found [here](#). The BOC accepted the Report during its July 19, 2022 meeting and approved funding for the process at its July 26, 2022 meeting. As a result, the Report serves as the reference document for this WORKGROUP.

II. Scope & Charge

This is a “bridge” process between past events and next steps. The process is designed to reset the current dynamics with the development of “common understandings” and recommended protocols for the future substantive consideration of the solid waste issues.

This WORKGROUP is not a decision-making body. It is a recommendation-making group with the following Scope. (See, [Assessment Report](#) for details.) The recommendations are not binding on decision makers in any subsequent land use review, but will help inform all parties going into a review process.

The WORKGROUP, with concurrence of the County staff, will prioritize the following topics.

- A. Develop Common Understandings to form the basis of the work.** Staff to draft a document, for review by the work group, outlining common understandings to include the following informational topics by 8/25/22:

- 1) A chronological history of key Coffin Butte Landfill topics:
 - a. Size;
 - b. Specific locations;
 - c. Conditions of past land use approvals;
 - d. Compliance with prior land use approvals and SWMP;
 - e. Reporting requirements;

- f. Assumptions (e.g. when will the landfill close;)
 - g. Economics (i.e. Benefit – Cost, etc.;) and
 - h. Examples from other jurisdictions hosting landfills, e.g.:
 - i. Typical land use conditions of approval; and
 - ii. Issue sequencing, (e.g. in what order are landfill versus hauling approvals done, etc.
- 2) A Summary of the County’s current rights and obligations to Republic Services, and vice versa, surrounding:
 - a. The hauling franchise;
 - b. The landfill CUP; and
 - c. What legally can and cannot be conditions of any land use approvals (e.g. past compliance, compliance with future laws, codes, and policies, DEQ compliance, reopening, limitations on what can be brought into the County from where, required facilities and practices, reporting/compliance/financial monitoring requirements, etc.)
- 3) A Summary of the rights and obligations of other entities surrounding landfills, hauling, and sustainability initiatives, etc.:
 - a. Federal;
 - b. Tribal;
 - c. State (e.g. Is DEQ prohibited from permitting another landfill west of the Cascades and what does the “regional landfill” designation mean?);
 - d. Local Government; and
 - e. Summary of the step-by-step process in ORS chapter 459 and associated timing for the cross-jurisdictional approvals of landfill applications, (e.g. DEQ) including:
 - i. What topics are within whose authority, and
 - ii. Whether, for example, the County can or should consider the topics it does not have permitting authority over when assessing the criteria outlined in Code section 53.215?

B. Clarifying existing criteria and information requirements for the land use review process for any proposed landfill expansion. Specifically:

- 1) Create a common understanding document outlining which Development Code criteria are applicable to the review of a conditional use application for landfill expansion by reviewing 53.215 (Criteria,) 77.305 (Conditional Uses,) 77.310 (Review,) and 77.405 (DEQ); review Chapters 50 and 51 for context; and then:
 - a. Preparing a conceptual list of any other Development Code criteria the WORKGROUP recommends be applicable; and
 - b. Developing recommended guidelines for interpreting any ambiguous provisions recognizing current statutes, regulations, case law, and County precedent, etc. Examples for consideration include:
 - i. The phrase, “Other information as required by the Planning Official” 77.310(e); and
 - ii. The terms found in Section 53.215, e.g., “seriously interfere,” “character of the area,” “purpose of the zone,” “undue burden,” and “any additional criteria which may be required for the specific use by this code.”
- 2) In doing so, refer to Comprehensive Plan for policy guidance regarding interpretation of any ambiguous Development Code provisions (see, BCC 50.015,) and Review the Planning Commission comments made during its last review of Republic Services’ CUP application

for context.

- 3) Develop protocols for the timely and broad distribution of CUP-related information to the public, other governmental entities, and internal committees, groups, and divisions.

This proposed element does NOT include opining on the merits of Republic Services' expected Coffin Butte application, nor does it involve the actual writing of potential code language or recommendations that change the current steps in the existing CUP review process. The scope is limited to developing conceptual language for recommended review criteria and recommended guidelines for interpreting any existing ambiguous provisions using the below "Common Understanding" as guideposts. The WORKGROUP must operate within the legal parameters associated with its specific recommendations.

C. Scope the necessary tasks to start a Long-Term Sustainable Materials Management Plan process.

Consider topics like contracting out, subjects to be covered, who needs to be at the table beyond those in the County, and a workplan outline with a timeline for completion. Look to recent similar planning efforts across the state to assess what topics were included and what "lessons learned" should be brought forward in this process. This includes the development of the necessary foundational "common understandings" and protocols needed before beginning the actual planning process.

This element includes topics beyond the landfill, and like it, the WORKGROUP should consider the cost-benefits from the perspective of who gains benefits, and who does not, in light of Code section 23.010 [Solid Waste Management] Purpose, which states, "In order to protect the health, safety and welfare of the people of Benton County and to provide a solid waste management program, it is declared to be the public policy of Benton County to regulate solid waste management to... [see actual language for list of potential topics.]" [Section 23.100](#)

This charge does not include completing the plan. It only includes a discussion of the preliminary scoping to start that planning process.

D. Provide input on additional topics raised in the [Assessment Report](#):

- 1) Scope the necessary tasks to start planning for the reopening of the existing hauling agreement to be amended by July 1, 2024, which is controlled by the following provision, "This agreement shall be amended by July 1, 2024 to include the same or similar terms as the forthcoming City of Corvallis collection franchise agreement, including, but not limited to, the same termination date, as well as concepts from the consensus-seeking process;
- 2) Clarify the differences, with BOC feedback, between the roles, responsibilities, and protocols of SWAC and DSAC on these topics, and develop specific recommended review criteria for the evaluation of CUP applications. Related Question: "Should SWAC and DSAC use the same review criteria as the Planning Commission and the BOC;" and
- 3) Create a future timeline for discussing any needed changes to the Benton County Code flowing from any WORKGROUP recommendations.

E. Consider creating a public-facing document and community education campaign on these topics.

III. Guiding Principles

The WORKGROUP should consider the following guiding principles during its deliberations:

- A. Process Goal:** Make recommendations in the best interest of the Benton County community-at-large; and
- B. Strive for “Pareto Efficiency:”** The ideal conceptual situation where no further improvements to the community’s wellbeing can be made through a reallocation of resources that makes at least one part of the Community-at-large better off without making another part of the community-at-large worse off.
- C. Benefit – Cost Factors:** Recommendations should consider the maximization of benefits and the reduction of costs.

IV. Membership

There are two categories: a) Polling Member; and b) Ex Officio Member. Polling Members have full rights of participation and “polling.” Ex Officio Members are “non-polling” information sources. Each may bring technical resources to the meetings. The technical resources will be able to participate in the discussions with permission of the Facilitator after a WORKGROUP discussion on the advantages and disadvantages surrounding their participation.

Organization/Interest Group	WORKGROUP Member	Polling	Ex Officio	Charge
SWAC/DSAC	Joel Geier	X		All
SWAC/DSAC	Marge Popp	X		All
Planning Commission	Nancy Whitcombe	X		All
Planning Commission	Elizabeth Irish	X		All
Republic: National	Russ Knocke	X		All but C
Republic: Local	Shawn Edmonds	X		All but C
Public	Brandon Bates	X		All
Public	John Deuel	X		All
Public	Kathryn Duvall	X		All
Public	Christopher McMorran	X		All
Public	Ryan McAlister	X		All
Public	Mary Parmigiani	X		All
Public	Ed Pitera	X		All
Public	Louisa Shelby	X		All
DEQ	Brian Fuller		X	All but D
Neighboring Jurisdiction	Marion County: Administrator Designee		X	Only C
Neighboring Jurisdiction	Linn County: Administrator Designee		X	Only C
Benton County Staff	Daniel Redick		X	All
Benton County Staff	Scott Kruger		X	All

Each member is allowed to assign one WORKGROUP alternate for the process. That person must have full authority to represent their Organization/Interest Group. If the alternate is attending, the primary member must provide written notice to Facilitator at least 72 hours in advance of a meeting’s start time. Assigning a replacement alternate is at the discretion of the Facilitator.

Government-to-government tribal consultation/coordination/communication will be ongoing.

V. Public Attendance

The public is welcome to attend all meetings. The facilitator will manage the meetings consistent with the Agenda, which gives priority to committee members, first to Polling members and second to Ex Officio Members. There will be time on the agenda dedicated to receiving input from the public with time limits for each person.

VI. Subcommittees

The County will evaluate the need for subcommittees, factoring in time and resource considerations. With the approval of the BOC and concurrence of staff, the WORKGROUP may create subcommittees if necessary, and allocate meeting time accordingly.

VII. WORKGROUP Material and Support

All committee materials will be provided electronically as a sustainability measure.

Meeting notices, agendas, materials, minutes (the members present, all motions, resolutions, votes taken and the substance of any discussion,) and recordings will be posted on this [webpage](#).

Technical input from agencies, organizations, or individuals with specialized expertise will be available to the WORKGROUP as issues arise.

VIII. Facilitator

The County has contracted with an independent and neutral third-party facilitator, [ICMresolutions](#), (Facilitator,) whose role is to facilitate meetings, help the WORKGROUP develop recommendations, and produce WORKGROUP reports. The Facilitator's responsibility is to the WORKGROUP process, but neither WORKGROUP membership/sponsorship, nor process participation is a substitute for independent legal or other professional advice. That is the responsibility of the process participants. The Facilitator will also be available as a resource for conflict resolution and WORKGROUP process improvement suggestions.

The Facilitator's written contract with the County is available for review. The Facilitator will not be influenced by payment source. To ensure impartiality, the County will solicit WORKGROUP input on the Facilitator's performance before changing ICMresolution's status, but the ultimate decision is the BOC's.

The Facilitator may suggest concepts for WORKGROUP consideration, but will not make any decisions.

Specific Facilitator responsibilities include:

- A. Design and support meeting process to achieve the outcomes of the process using formal agenda and meeting recordings to track progress;
- B. Ensure culturally competent practices are used to foster inclusion and the equal voice of all participants;
- C. Ensure a welcoming meeting environment where all members can participate;
- D. Ensure a safe environment for alternative opinions to be expressed;

- E. Conduct meetings in a manner to foster collaborative decision-making and consensus building; and
- F. Prevent dialogue from becoming confrontational and apply mediation practices to resolve conflict.

The Facilitator may have non-confidential, informal communications and perform facilitation activities between and during meetings. The BOC gives broad authority to the Facilitator to interpret this document and guide the WORKGROUP accordingly. The Facilitator will address situations where it appears a participant is not acting according to this document.

IX. Work Plan/Schedule

The committee will meet according to the draft work plan outlined below, which is subject to change.

Meeting One: 9/8/22
• Introductions • Review of Charter with Process Overview • Member Comments • Charge A: Discuss Common Understandings document draft • Next Steps and Homework • Meeting Evaluation
Meeting Two: 9/15/22
• Charge A continued: Develop Common Understandings • Coffin Butte Tour • Next Steps and Homework
Meeting Three: 10/6/22
• Charge B: Clarifying existing criteria and information requirements for the land use review process for any proposed landfill expansion • Next Steps and Homework
Meeting Four: 10/27/22
• Charge B continued: Clarifying existing criteria and information requirements for the land use review process for any proposed landfill expansion • Next Steps and Homework • Mid-Process Evaluation
Meeting Five: 11/3/22
• Charge B continued, and Charge C: Scope the necessary tasks to start a Long-Term Sustainable Materials Management Plan process • Next Steps and Homework
Meeting Six: 11/17/22
• Provide input on Charges D and E: Additional Topics

- Hauling Reopening
- Roles/Responsibilities
- Timeline for code changes
- Consider creating a public-facing document and community education campaign on these topics
- Authorize Draft to SWAC/DSAC and Planning Commission for comment
- Next Steps and Homework

Meeting Seven: 12/1/22

- Review SWAC/DSAC and Planning Commission Feedback
- Edit Draft Report
- Next Steps and Homework

Meeting Eight: 12/15/22

- Finalize Report to BOC
- Next Steps: The BOC is expected to consider the findings and recommendations in January 2023.
- Process Evaluation
- Celebration!

Please see **Exhibit A** for Calendar version.

X. Collaboration Protocols for WORKGROUP Recommendations

The WORKGROUP will follow these protocols.

- A. Quorum:** 51% of the Polling Members listed above.
- B. Meetings:** Meetings of the WORKGROUP and its subcommittees, if any, are open to the public and will include an opportunity for public comment. Notice of WORKGROUP meetings will be posted in advance of meetings on the project website.
- C. Meeting Agendas and Meeting Materials:** The Facilitator will develop Working Agendas for each meeting. Meeting agendas and meeting materials will be sent electronically to WORKGROUP members in advance of the meetings and will be posted on the project website.
- D. WORKGROUP Commitments:** The WORKGROUP members, staff, and participants will participate in good faith, which means they will:
 - 1) Prepare for and set aside time for the meetings and the entire process,
 - 2) Participate fully, honestly, and fairly, commenting constructively and specifically,
 - 3) Speak respectfully, briefly, and non-repetitively; not speaking again on a subject until all other members desiring to speak have had the opportunity to speak,
 - 4) Allow people to say what is true for them without fear of reprisal,
 - 5) Explore the topics – not debate them,
 - 6) Disagree without being disagreeable,
 - 7) Avoid side conversations during meetings,

- 8) Provide information as much in advance as possible of the meeting in which such information is to be used and share all relevant information to the maximum extent possible,
- 9) Generate and explore all options on the merits with an open mind, listening to different points of view with a goal of understanding the underlying interests of other WORKGROUP members,
- 10) Consult regularly with their organization/interest group and provide their input in a clear and concise manner,
- 11) Each member agrees to work toward fair, practical, and durable recommendations that reflect the diverse interests of the entire WORKGROUP and the public,
- 12) When communicating with others, accurately summarize the WORKGROUP process, discussion, and meetings, presenting a full, fair, and balanced view of the issues and arguments out of respect for the process and other members,
- 13) Not attempt to affect a different outcome outside of the WORKGROUP process once the WORKGROUP has reached a “consensus” recommendation,
- 14) Strive vigorously for consensus and closure on issues, and
- 15) Self-regulate and help other members abide by these commitments.

XI. Public Comment

There will be public comment opportunities during the WORKGROUP process. Comments from the public will be limited in time to allow sufficient opportunity to conduct the other portions of the meeting. Typically, comments will be limited to a maximum of three minutes per person. Participants are encouraged to submit written comments via email addressed to BentonCountyTalksTrash@Co.Benton.OR.US in advance of the meeting so they can be circulated to the entire WORKGROUP for their consideration.

XII. Consensus Polling: A Process for Consensus Recommendation-Making

The Facilitator will assist the WORKGROUP and its members in identifying objectives, addressing the diversity of perspectives, and developing substantive, practical recommendations. The WORKGROUP will strive for and use a “consensus” recommendation-making approach to determine their level of agreement on proposals. This allows members to distinguish underlying values, interests, and concerns with a goal of developing widely accepted solutions.

Consensus does not mean 100% agreement on each part of every issue, but rather support for a decision, “*taken as a whole.*” This means that a member may poll to support a consensus proposal even though they would prefer to have it modified in some manner to give it their full support. Consensus is a process of “*give and take,*” of finding common ground and developing creative solutions in a way that everyone can support. Consensus is reached if all members support an idea or can say, “*I can live with that.*”

When developing recommendations, the WORKGROUP will address each issue individually, and in various combinations. It will decide on whether it wants to make package or individual recommendations at the end of the process.

“1-2-3” Consensus Polling: The Facilitator will assist the WORKGROUP in articulating points of agreement, as well as articulating concerns that require further exploration. It will use a “Consensus Polling” procedure for assessing the group’s opinion and adjusting proposals. In “Consensus Polling,” the Facilitator will articulate the proposal. Each voting member will then offer “one,” “two,” or “three,” reflecting the following:

- “One” indicates full support for the proposal as stated.
- “Two” indicates that the participant agrees with the proposal as stated but would prefer to have it modified in some manner to give it full support. Nevertheless, the member will support the consensus even if his/her suggested modifications are not supported by the rest of the group because the proposal is worthy of general support, as written.
- “Three” indicates refusal to support the proposal as stated.

The Facilitator will repeat the consensus voting process as reasonably practical and as time allows to assist the group in achieving consensus regarding a particular recommendation, so that all Polling Members are voting “one” or “two.” Either way, the result will be noted in the WORKGROUP Report.

No Consensus – Majority and Minority Recommendations: If a consensus on an issue is not likely, as determined by the Facilitator, the poll results for the options considered will be presented to the BOC.

Summary of WORKGROUP Recommendations: The meeting summaries will serve as the record of the WORKGROUP recommendations as supplemented by the addition of Polling Member statements who elect to submit additional information by the deadline established. The Facilitator will package all this information into the WORKGROUP’S report to the BOC.

XIII. Additional Provisions

The following provisions apply to the WORKGROUP process.

- A. Regular Communication with Affiliated Group:** There is an expectation of regular, two-way communication between a WORKGROUP member and their Organizations/Interest Groups. This is intended to ensure meaningful representation of those interests. Time will be set aside on the WORKGROUP agenda for reports from this outreach.
- B. “One Table:”** It is the BOC’s preference that the WORKGROUP be the “One Table” for issues related to the above Charge. It encourages community members, interested parties, SWAC/DSAC, and the Planning Commission to direct their input there. Substantive work on elements of topics that are within the WORKGROUP’S Charge should not be undertaken by the Planning Commission and SWAC/DSAC while the WORKGROUP is underway, except as they relate to their review of the WORKGROUP’S work product for feedback as specified in Section IX, above.
- C. Transparency and Media:** Members agree that transparency is essential to all deliberations. In that regard:
 - 1) WORKGROUP members agree to notify Darren Nichols (darren.nichols@Co.Benton.OR.US) and Cory Grogan (cory.grogan@Co.Benton.OR.US) of written communications with the media.
 - 2) Members agree to direct public testimony about WORKGROUP work to BentonCountyTalksTrash@Co.Benton.OR.US. These communications will be included in the public record and copied to all WORKGROUP members.
 - 3) Individual members cannot and should not try to speak on behalf of the entire WORKGROUP.

- 4) Whenever reasonable, WORKGROUP members and staff will refer press, citizen, and other inquiries to Darren Nichols (darren.nichols@Co.Benton.OR.US) and Cory Grogan (cory.grogan@Co.Benton.OR.US.)

D. Disclosure of Public Official Conflicts of Interest:

- 1) WORKGROUP members are “public officials” representing the Benton County Board of Commissioners. A public official is required to make an announcement of the nature of a conflict of interest each time the issue giving rise to the conflict of interest is discussed or acted upon.
- 2) The announcement needs to be made on each occasion when the public official is met with the conflict of interest, and the public official must disclose the nature of the conflict of interest.
- 3) For example, the public official would have to make the public announcement one time when met with the conflict of interest, but only one time in each meeting of the WORKGROUP. If the matter giving rise to the conflict of interest is raised at another meeting, the disclosure must be made again at that meeting.
- 4) For guidance, please see [BCC 3.025](#) and [Oregon Government Ethics Law](#).

E. Open Meetings and Records: All meetings of the WORKGROUP and any subcommittee meetings are open to the public. Notice to the public regarding the dates, times, and locations of all meetings will be provided a minimum of 48 hours in advance. WORKGROUP members can participate through telephonic conference calls. All "Communications" (statements and votes made during meetings, memoranda, work products, records, documents, text messages, pictures, or materials developed to fulfill the charge, including electronic mail correspondence) are public records. The personal notes of individual members taken at public meetings might be public record to the extent they relate to the conduct of the public's business.

F. Interpretation and Amendment: The process terms of this document, except those required by law, are guidelines, and the BOC authorizes the Facilitator to interpret them. The Facilitator will lead a WORKGROUP discussion designed to reach a consensus on any proposed substantive amendments to this document. Ultimately, the BOC will make the final decision on any proposed substantive amendments.

G. Agreement: *Participation in this process is an agreement to abide by the terms of this document.*

September 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Info due from FEDS and DEQ etc.			1	2 WG Packet Sent	3
4	5 Labor Day	6 BOC Meeting Planning Commission	7	8 WG Mtg #1 Charter & Charge A Rosh Hashanah	9	10
11	12	13 BOC Goal-Setting Work Session	14	15 WG Mtg #2 Charge A and Tour	16 Yom Kippur	17
18	19	20 BOC Meeting Plan/Comm	21	22	23	24
25	26	27	28 SWAC	29	30 WG Packet Sent	

October 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4 BOC Tuesday Board Meeting Plan/Comm	5	6 WG Mtg #3 Charge B	7	8
9	10	11 BOC Goal-Setting Work Session	12	13	14	15
16	17	18 BOC Meeting Plan/Comm	19	20	21 WG Packet Sent	22
23	24	25	26 SWAC/DSAC	27 WG Mtg #4 Charge B	28	29
30	31 WG Packet Sent					

November 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 BOC Meeting Plan/Comm	2	3 WG Mtg #5 Charges B and C	4	5
6	7	8 BOC Goal- Setting Work Session Election Day	9 BOC Meeting w/ Community Development, Natural Areas, Parks & Events	10 WG Packet Sent	11 Veteran's Day	12
13	14	15 BOC Meeting Plan/Comm	16	17 WG Mtg #6 Charges D and E Draft Report for Review	18	19
20	21	22	23 SWAC	24 Thanksgiving	25 Day After	26
27	28	29 WG Packet Sent	30			

December 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 WG Mtg #7 Review Feedback and Edit Report	2	3
4	5	6 BOC Meeting Plan/Comm Hanukkah: 8 Days	7 ? Special Meeting: SWAC/DSAC	8	9	10
11	12 WG Packet Sent	13	14	15 WG Mtg #8 Finalize Report and Celebration!	16	17
18	19	20 Plan/Comm	21	22	23	24
25	26 Holiday	27	28 SWAC (Typically Cancelled/ Rescheduled)	29	30	31 New Year's Eve

January 2023						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Kwanzaa	2	3 BOC Tuesday Board Meeting Planning Commission	4	5	6	7
8	9	10	11	12	13	14
15	16	17 MLK Day BOC Tuesday Board Meeting Planning Commission	18	18	20	21
22	23	24	25	26	27	28
29	30	31				

Discussion notes item 8.1 for 10/04/22 BOC meeting

Chair Nancy Wyse

1. **What should the relationship be between appointees of the Planning Commission and the Solid Waste Advisory Council (SWAC)/Disposal Site Advisory Committee (DSAC) and their appointing bodies? What are the roles and responsibilities of the representative members to their appointing bodies and vice versa?**

Is the role of the appointee as a “liaison”? Or an individual who is there to fulfill/check the box of someone who is interested in this kind of thing. An appointee, as an individual with a specific background/representative of those interests? Do appointees come back to PC/SWAC/DSAC and update the bodies? Do the bodies receive updates from the appointee? Do the bodies provide direction or recommendations to the appointee to take back to the work group? Asked another way: do we want PC/SWAC/DSAC funneling input into the WG through appointee? Does this conflict with the “one table” rule?

BCTT Workgroup Charter, approved by BOC on 8/23/22:

(p. 4) **IV Membership.** Lists “Organization/Interest Group” and “Workgroup Member” as titles.

(p. 8) **D. Workgroup Commitments 10)** “Consult regularly with their organization/interest group and provide their input in a clear and concise manner.”

XIII. Additional Provisions: The following provisions apply to the WORKGROUP process.

A. Regular Communication with Affiliated Group: There is an expectation of regular, two-way communication between a WORKGROUP member and their Organizations/Interest Groups. This is intended to ensure meaningful representation of those interests. Time will be set aside on the WORKGROUP agenda for reports from this outreach.

This to me, says their role *is* more of a “liaison position” and they are expected to update PC/SWAC/DSAC and take input back to Workgroup. Appointed body gives feedback to Workgroup member. But appointed body does not work on the issue? If this model isn’t working “in the real world” or as expected, Commissioners can change it? (Delete? Or modify?) Do we *want* to change this? Apologies for the confusion that this has caused! How does the “liaison” role of the appointee function with or impact our desire for the “One Table”:

XIII. Additional Provisions B. “One Table:” It is the BOC’s preference that the WORKGROUP be the “One Table” for issues related to the above Charge. It encourages community members, interested parties, SWAC/DSAC, and the Planning Commission to direct their input there. Substantive work on elements of topics that are within the WORKGROUP’S Charge should not be undertaken by the Planning Commission and SWAC/DSAC while the WORKGROUP is underway, except as they relate to their review of the WORKGROUP’S work product for feedback as specified in Section IX, above.

Notes:

2. What issues should be directed to the “One Table” described in the Workgroup Charter and what, if any, questions should be discussed at other tables during the Workgroup process? Should the other issues be discussed while the workgroup is underway or postponed?

Topics and subtopics listed in the BCTT Charter and Bylaws document, II. Scope & Charge, A-E. If other topics are discussed at other bodies (commissions/committees, etc) will that be “putting the horse in front of the cart”?

Discussion of an annual work plan? (more under Q#6)

Notes:

3. What are the mandatory responsibilities and basic legal requirements of the Planning Commission? Of SWAC? Of DSAC?

PC:

Bylaws:

ARTICLE 2 Function

The Commission shall assist the Benton County Board of Commissioners, and shall have the following powers and duties:

(1) Prepare recommendations for the Board of Commissioners regarding proposed amendments to the County's land use and development regulations;

(2) Make decisions on certain quasi-judicial land use matters;

(3) The Commission shall serve as the Committee for Citizen Involvement (CCI).

Does the PC hold separate meetings as the CCI? How are those roles distinguished?

Section 3. Responsibilities.

Commission members shall regularly attend meetings of the Commission and any meetings of the subcommittees to which they are appointed, and shall fulfill other duties as appointed by the Chair.

ARTICLE 7 Meetings

Section 1. Regular Meetings.

Meetings shall be open to the public, and shall be regularly scheduled monthly. All foreseeable absences should be reported promptly in advance to the Recording Secretary. Meetings of the CCI shall be at least once every three (3) months, and shall be scheduled to coincide with the regularly scheduled meetings of the Commission.

Section 2. Special Meetings.

Special meetings may be called by the Chair, the Vice Chair in the Chair's absence, by a majority of the membership, or by the Board of Commissioners by giving the members and the press written or verbal notice at least three (3) days before the meeting.

Section 5. Agenda.

The Chair, with the assistance of the Development Director, or his/her designee, shall prepare the agenda of items requiring Commission action, and shall add items of business as may be requested by individual Commission members and/ or the Board of Commissioners. The order of business at all meetings shall be set forth in a **Rule of Procedure**. (meaning? Parliamentary Procedure?)

ORS 215.020 Authority to establish county planning commissions

(1)The governing body of any county may create and provide for the organization and operations of one or more county planning commissions.

(2)This section shall be liberally construed and shall include the authority to create more than one planning commission, or subcommittee of a commission, for a county or the use of a joint planning commission or other intergovernmental agency for planning as authorized by ORS 190.003 (Definition for ORS 190.003 to 190.130) to 190.130 (Effect of ORS 190.125). [Amended by 1973 c.552 §1; 1975 c.767 §15]

Does the Land Development Code go further into detail about what actions/activities go to PC?

SWAC:

bylaws: "The purpose of the Solid Waste Advisory Council (SWAC) is to assist the Board of Commissioners (Board) in Planning and implementation of solid waste management, pursuant to BCC Chapter 23, The Benton County Solid Waste Management Ordinance.

Article 2 Membership C. "Council Members shall regularly attend meetings of the Council and any meetings of the subcommittees to which they are appointed, and shall fulfill other duties as appointed by the Chair."

Article 5 Meetings A. "Regular meetings: the SWAC shall establish regular meetings, and shall meet at least quarterly,"

B. “Work sessions: Work sessions may be called by the Chair or by the Board of Commissioners.

Does the BOC have the authority to cancel a meeting/work session called by the chair?

G. Agenda: “The Chair, with the assistance of the Community Development Director, or his/her designee, shall prepare the agenda of items requiring Council action, and shall add items of business as may be requested by individual Council members and/or the Board of Commissioners”

Article 6 Officers B. “The Chair shall preside at all meetings of the SWAC; shall call special meetings; shall sit ex-officio on all committees, shall assist in preparing the meeting agenda; shall prepare all correspondence...”

My understanding is that SWAC is only required to meet quarterly, but that the chair can call work session meetings and special meetings. Can the BOC provide direction to “over rule” or cancel meetings?

BCC 23.020 Solid Waste Advisory Council Established. “The Board shall create a County Solid Waste Advisory Council in accordance with Benton County Code sections 23.025 through 23.035 and may create a Regional Solid Waste Advisory Council or Committee in cooperation with cities and other counties.” “Shall-county”, “may-regional”- two separate boards or one or the other?

BCC 23.035 County Solid Waste Advisory Council Duties. The Council shall assist the Board in planning and implementation of solid waste management. First priority shall be given to those areas assigned by the Board including maintenance of County roads in the vicinity of Coffin Butte and to recycling and reuse and matters related to those areas. The County Solid Waste Advisory Council shall provide input or recommendations to the Board on the use of the host surcharge.

DSAC:

Bylaws: Article 2 Function: The Committee shall assist the Benton County Board of Commissioners in the planning and implementation of disposal site management, including (but not limited to) the following:

(1) Review with the permittee of the regional disposal site including, but not limited to, siting, operation, closure, and long-term monitoring of the regional disposal site; and

(2) Provide a forum for community member comments, questions and concerns about the regional disposal site and promote a dialogue between the community and the owner or operator of the regional disposal site; and

(3) Prepare an annual written report summarizing the local community member’s concerns and the manner in which the owner or operator is addressing those concerns. The report shall be considered by the Department of Environmental Quality in issuing and renewing a solid waste permit

Aligns with ORS:

ORS 459.325 Duties of regional disposal site advisory committee: The duties of the local citizens advisory committee established under ORS 459.320 (Regional disposal site advisory committee) shall include but need not be limited to:

- (1) **Reviewing with the permittee**, the regional disposal site including but not limited to siting, operation, closure and long-term monitoring of the regional disposal site; and
- (2) **Providing a forum for citizen comments**, questions and concerns about the regional disposal site and promoting a dialogue between the community in which the regional disposal site is to be located and the owner or operator of the regional disposal site. **The committee shall prepare an annual written report** summarizing the local citizens' concerns and the manner in which the owner or operator is addressing those concerns. The report shall be considered by the Department of Environmental Quality in issuing and renewing a solid waste permit under ORS 459.245 (Issuance of permits). [1987 c.876 §11]

DSAC Bylaws ARTICLE 7 Meetings:

Section 1. Regular Meetings: **Meetings shall be held quarterly**, or more frequently when called by the Chair of the Committee or the Board of Commissioners.

Section 2. Special Meetings: Special meetings may be called by the Chair or by the Board of Commissioners by giving the members and the press written or verbal notice at least 24 hours before the meeting.

ORS 459.320 Regional disposal site advisory committee:

(1) Except as provided in subsection (3) or (4) of this section, the board of county commissioners of a county in which a regional disposal site is proposed to be located shall establish a local citizens advisory committee when the Department of Environmental Quality receives an application for a regional disposal site within the county...

(2) Unless determined otherwise by a board of county commissioners:

(a) Members of the local citizens advisory committee shall serve a term of two years.

(b) The committee shall elect from among its members a chairperson of the committee with such duties and powers as the committee imposes.

(c) The committee shall meet at least four times each year for so long as the regional disposal site is proposed or operating.

By ORS, DSAC does not have to meet 4 times per year if "determined otherwise by a board of county commissioners". But BC DSAC bylaws, the committee meetings shall be held quarterly.

Notes:

a. When is the SWAC or DSAC annual report due and to whom do those bodies report?

Have SWAC and DSAC met their mandatory, minimum requirements and responsibilities for this year?

Notes:

b. What is the role and responsibility of staff to SWAC/DSAC?

Help set the agenda with the chair, take and keep minutes/record of the meetings. Answer questions of members, provide staff support for meetings. Other? What does staff see as their role?

Notes:

4. What are the Board's expectations for its appointed bodies during this interim "bridge" Workgroup?

Do the appointed bodies continue to meet? If yes, do we continue with "liaison role" or change the role? Or, do we cancel the meetings until a draft has come from the Workgroup? How many meetings per appointed body would need to be canceled?

Notes:

5. What steps would the Board like to take in situations where roles are not filled and/or expectations for entities identified in the Charter are not met?

In situations where a workgroup member cannot or will not meet expectations, as determined by the BOC, the BOC will remove the member from the workgroup. In addition, if a situation arises where the workgroup member is from a Benton County Organization/Interest Group, the BOC will consider removing the individual from the county board/committee/commission/council.

CHAPTER 3: CITIZEN COMMITTEES

3.015 Appointments

(3) All persons appointed to serve on County advisory boards, commissions and committees shall serve on such advisory boards, commissions, and committees at the pleasure of the Board of Commissioners. Appointments shall be made for such terms as designated by the Board of Commissioners.

3.035 Removal; Grounds, Procedures.

(1) Removal. Removal of a member of a County advisory board, commission, or committee may be made or approved by the Board of Commissioners, without cause, at any time.

(2) Opportunity to address Board of Commissioners. Whenever practicable, the Board of Commissioners may provide the member being removed from an advisory board, commission or committee position with an opportunity to address the Board of Commissioners concerning that

member's removal prior to removal from the advisory board, commission or committee. Last Modified 3/9/90, Ord. 90-0067 3-2; Ord. 2016-0273

BCTT Workgroup Charter and Bylaws: VIII. Facilitator The BOC gives broad authority to the Facilitator to interpret this document and guide the WORKGROUP accordingly. The Facilitator will address situations where it appears a participant is not acting according to this document.

Acknowledged.

Notes:

6. What other questions would the Board like to raise and what more would the Board want or need to answer these questions and/or provide direction?

What expectations does the BOC have of the Workgroup? *Listed in charter. **X. D.Workgroup Commitments 1-15**

I expect everyone representing Benton County to conduct themselves in a courteous manner, in person and via writing/email/phone call, etc.

Can SWAC/DSAC make a work plan to bring to the BOC for approval? What would that entail? How would we keep the “one table” topics separate? BOC could remove any topics felt to be “one table”.

23.035 County Solid Waste Advisory Council Duties. The Council shall assist the Board in planning and implementation of solid waste management. First priority shall be given to those areas assigned by the Board including maintenance of County roads in the vicinity of Coffin Butte and to recycling and reuse and matters related to those areas. The County Solid Waste Advisory Council shall provide input or recommendations to the Board on the use of the host surcharge.

Charter: IV Membership,(p.4) mentions a “technical resource”, what is that?

IV. Membership “...Each may bring technical resources to the meetings. The technical resources will be able to participate in the discussions with permission of the Facilitator after a WORKGROUP discussion on the advantages and disadvantages surrounding their participation

Formal recommendations need to come from the whole workgroup, majority vote, delivered to the commissioners by staff, not individual members. Thoughts?

Notes:

Sam Imperati’s questions:

7. To what extent, if any, does the Board want to add, remove, or edit the following Charge elements:
- a. Section A: Common Understandings
 - “Staff drafted document by August 25, where is that?”
 - No changes.

- b. **Section B: Existing Criteria & Info Requirements for Land Use Review Process of any Landfill Expansion**

No changes.

- c. **Section C: Scope the Necessary Tasks to Start a L-T Sustainable Materials Management Plan Process Section**

Section 23.100 referenced in bylaws. There is not section 23.100. Typo? Section 23.010 “Purpose”? (4) fits well with the spirit of BCTT:

“(4) Encourage research, studies, surveys and demonstration projects to develop a safe, sanitary, efficient, and economical solid waste management system.”

Do you want commissioners to weigh in on which subsections we find import, or leave for Workgroup/staff to decide?

Otherwise, I have no suggested changes.

Notes:

- d. **D: Input on Additional Topics Assessment Report Section**

1-3 all very important, in my opinion. I think that work that needs to be done for #2 is part of the reason we are at this point today. All these roles come with their own nuances and responsibilities (and some overlap?), and it can be confusing.

2) Clarify the differences, with BOC feedback, between the roles, responsibilities, and protocols of SWAC and DSAC on these topics, and develop specific recommended review criteria for the evaluation of CUP applications. Related Question: “Should SWAC and DSAC use the same review criteria as the Planning Commission and the BOC;”

- e. **E: Public-facing Document and Community Education Campaign**

Yes, please! No changes.

- 8. **To what extent, if any, do you want the Workgroup to make a recommendation on**

- a. **whether and/or when the landfill should be closed**

- b. **reducing the amount of waste that goes into the landfill, and**

c. options for the County's solid waste future?

These are all important topics to consider. My preference is to focus on the current scope and focus. This doesn't mean other topics cannot be considered in the future, but we need to start somewhere- and get through the current charges before we can effectively move on to the other issues. You need a foundation before you can build a house...

Notes:

9. I recently received a suggestion from a Workgroup member to reach out to a nonmember and ask them how much time they need on our next meeting agenda as they would like a slot. I have not done that yet because I would like your direction on this precedent-setting request. Is this something for which you would like me to create agenda time?

My first thought was "no", based off my own experience and opinions about parliamentary procedure and running efficient meetings. Individuals can comment during the public comment period and/or submit their comments in writing to the group(?). Unless the Workgroup as a whole makes the request? Thoughts?

X. Collaboration Protocols for WORKGROUP Recommendations B. Meetings: Meetings of the WORKGROUP and its subcommittees, if any, are open to the public and will include an opportunity for public comment. Notice of WORKGROUP meetings will be posted in advance of meetings on the project website.

Unless they are considered a "technical resource"?

IV. Membership "...Each may bring technical resources to the meetings. The technical resources will be able to participate in the discussions with permission of the Facilitator after a WORKGROUP discussion on the advantages and disadvantages surrounding their participation.

10. Finally, are one or more of you available to attend our October 8th meeting at approximately 3:00 to hear from the Workgroup?

Yes, I'm happy to attend as Chair to hear from the Workgroup and to pass along whatever direction the BOC decides today, if the BOC thinks this is a good idea.

