

AGENDA

BENTON COUNTY BOARD OF COMMISSIONERS

Tuesday, September 21, 2021

GoToMeeting: <https://global.gotomeeting.com/join/442720061>

or Dial 1 (571) 317-3122; Access Code 442-720-061#

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

(Chair May Alter the Agenda)

NOTE: North Albany County Service District meeting to immediately follow the Board of Commissioner's meeting

THE BOARD WILL TAKE A BRIEF RECESS BETWEEN THE WORK SESSION AND BUSINESS MEETING

9:00 A.M.

I. Opening:

A. Introductions

B. Announcements

II. 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.

III. Review and Approve Agenda

IV. Work Session

- 4.1 9:00 a.m., 30 minutes - Update from Department Operation Center –Suzanne Hoffman and April Holland; Health Services
- 4.2 9:30 a.m., 20 minutes – Discuss and Adair Village Urban Growth Boundary (UGB) Expansion with Benton County and Legislative Action – Pat Depa, Community Development; Pat Hare, City of Adair Village
- 4.3 9:50 a.m., 60 minutes - Discussion and Update on Justice System Improvement Program (JSIP) – Nick Kurth, JSIP Project Manager

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

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

BUSINESS MEETING

V. Consent Calendar

- 5.1 In the Matter of Extending the Oregon Youth Authority (OYA) Lease Agreement with Linn Benton Detention Center for 1 year – *Matt Wetherill, Juvenile Director*
- 5.2 Appointment to the Willamette Criminal Justice Council -
Leslie Soriano
- 5.3 Approve August 17, 2021 Joint City/County Work Session Minutes
- 5.4 Approve August 17, 2021 Tuesday Board Meeting Minutes
- 5.5 Approve August 24, 2021 Tuesday Board Meeting Minutes

Public Hearing

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 Adopting Supplemental Budget FY2021-023 -
#22031, Resolution No. 2021-024 – *Jennifer Ambuehl, Finance Services*
- PH2 In the Matter of a Second Hearing Regarding the Annexation of Property Within the
Dumbeck Lane Domestic Water District into the North Albany County Service
District – *Vance Croney, County Counsel; Gary Stockhoff, Public Works*

VI. New Business

- 6.1 In the Matter of Dissolving Dumbeck Lane Domestic Water Supply District pursuant to ORS 198.940 – *Vance Croney, County Counsel*
- 6.2 In the Matter of Approving a Notice of Intent Applying for Funding from the Federal Lands Access Program (FLAP) for the South Fork Road Corridor –
Laurel Byer, Public Works
- 6.3 Discussion and Decision in Establishing a New Behavioral Health Position –
Dannielle Brown, Health Services
- 6.4 Discussion and Decision to Approve the United Way of Linn, Benton & Lincoln Counties Application to Include Benton County as an Employee Payroll Deduction - *Mary Otley, Debbie Parson; Finance Services*

VII. Other

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

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

Tuesday, September 21, 2021

GoToMeeting link: <https://global.gotomeeting.com/join/442720061>

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

9:00 a.m.

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

Excused: **Xanthippe Augerot**, Chair

Staff: **Jennifer Ambuehl**, Mary Otley, Finance; **Dannielle Brown**, **Suzanne Hoffman**, **April Holland**, Health; **Laurel Byer**, **Pat Depa**, **Greg Verret**, Community Development, **John Devaney**, **Jef Van Arsdall**, Sheriff's Office; **Teresa Farley**, **Joe Hahn**, **Lili'a Neville**, BOC Staff; **Erika Milo**, BOC Recorder; **John Pegg**, Emergency Management; **Alyssa Rash**, Public Information Officer; **Gary Stockhoff**, **Debie Wyne**, Public Works; **Matt Wetherell**, Juvenile Department

Guests: **Chris Bailey**, City of Albany Public Works; **Alexis Biddle**, 1000 Friends of Oregon; **Julie Fischer**, Cogito; **Pat Hare**, City of Adair Village; **Peggy Lynch**, **Ronald C. Weigel**, Adair Village residents; **Bo Price**, Dumbeck Lane Domestic Water Supply District

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

I. Opening:

A. Introductions

B. Announcements

Wyse acknowledged that this land used to belong to Indigenous peoples, and called upon current residents to dismantle systems of oppression wherever possible.

II. Comments from the Public

Peggy Lynch, Adair Village resident: Lynch shared concerns about Item 4.2 regarding the Adair Village Urban Growth Boundary and the lack of notice to allow public comment.

III. Review and Approve Agenda

The following items were added to the agenda:

6.5 Discussion and Decision Regarding Financial Request from Corvallis Housing First (CHF) to Provide \$75,000 to Complete the Renovations of Third Street Commons – *Joe Kerby, County Administrator; Suzanne Hoffman, Health Services*

7.1 Board Tour of Two Potential JSIP Sites

IV. Work Session

4.1 Update from Department Operations Center – *Suzanne Hoffman and April Holland; Health Services*

Hoffman explained that Health is presenting COVID-19 updates more frequently due to Delta variant surges.

Holland shared that Benton County COVID-19 case counts are down slightly, but still very high, with 171 cases in the past week, down from 179 the week before. The seven-day average is 181 cases per 100,000 of population. Over 100 is considered high community transmission. The 14-day average is 370 per 100,000 of population. The 17.1% positivity rate, one of the lowest in the state, is due to a high volume of testing. Benton has many outbreaks, including many in Kindergarten-12th grade schools. In-person school has just started. Several classrooms and buses have been quarantined. University classes start tomorrow; high case numbers are expected as move-in testing resumes.

Hospitalizations remain high in many areas, though decreasing statewide; this may relate to creating more space in long-term care facilities (LTCFs) to accommodate hospital discharges. Good Samaritan Regional Medical Center (GS) has 26 COVID-19 patients and a seven-day average of 24 per day. Today, hospital region 2 (Benton, Yamhill, Polk, Lincoln, Linn, and Marion Counties) has zero of 95 intensive care unit (ICU) beds available, and 4 of 705 staffed non-ICU beds available. This affects all types of care.

Nationally, about 2,000 people per day are dying from COVID-19. Five people have died in the County in the last week, more than at any other point in pandemic; also, earlier deaths occurred over a longer time period. Even as cases decrease, hospitalizations and deaths will continue for weeks.

The County continues to hold vaccination events, including two at schools last week and one this week hosted by the Coalition of Graduate Employees. Ten upcoming events at high schools will offer attendees food boxes and \$100 gift cards. The Food and Drug Administration (FDA) has approved a third vaccine dose (as part of the initial series) for moderately to severely immunocompromised people, but not a booster dose. The FDA also advised that people 65 and older or at risk for severe disease should get a booster at least 6 months after the second dose. The Centers for Disease Control (CDC) will issue recommendations on boosters this week, followed by an Oregon Health Authority (OHA) recommendation early next week. Booster planning is underway in the County. A planned mass vaccination event at Linn County Fairgrounds will have much lower capacity than expected; staff are exploring other sites in the City of Corvallis. These clinics will be smaller than Reser Stadium clinics and will occur one to two days per week as needed. Health staff are in frequent communication with Oregon State University (OSU) and GS. Estimates of booster capacity and need vary depending on CDC/OHA guidance. The County does not need an Emergency Operations Center at this time.

Malone asked about local/regional test processing capacity given the increase in testing at OSU and in certain professions.

Holland replied that testing need will increase, but County capacity should continue to be good. Test turnaround is currently 24-36 hours. Rapid antigen at-home tests have become scarce since the Delta surge began; President Biden plans to make the tests much more available, at cost or free. Some tests can be found online and in pharmacies this week. The rapid test does not detect virus as well in asymptomatic individuals as the polymerase chain reaction test, but is widely used.

Malone asked Holland to comment on why Linn County's infection rates have been much higher than Benton's for several weeks.

Holland replied that Linn has a 48% fully vaccinated rate, while Benton has 65%; a lower rate allows more opportunities for the virus to spread. Responding to a question from Kerby, Holland replied that there have been 28 total COVID-19 deaths in Benton County as of today.

4.2 Discuss Adair Village Urban Growth Boundary (UGB) Expansion with Benton County and Legislative Action – Pat Depa, Community Development; Pat Hare, Adair Village City Administrator

Verret explained that the City of Adair Village (AV) and some property owners have asked the County to initiate legislative amendments to the comprehensive plan to allow expanding the AV UGB and annexing additional land to meet 20-year housing needs. UGB expansion is not being decided today, only what process to use to consider expansion.

Depa explained that AV is currently not in compliance with Oregon Revised Statute 196.296, which requires local government to demonstrate sufficient buildable land in the UGB. In June 2021, new estimated population growth numbers projected that AV will add over 1,100 people in the next 20 years. Recent residential developments in AV have removed over 45 acres of the currently zoned inventory. AV remains in contact with the land owner who sold the lot for the Calloway Creek development; the owner wants to sell the other half, about 42 acres, to the same developer. Another land owner with 13 acres in northeast AV wants to be annexed. There have been about 6 meetings between developers, owners, Verret, consultants, Depa, Hare, and a Department of Land Conservation and Development (DLCD) representative. The developer and landowners hired a consultant who is in contact with the County Global Information System mapping coordinator. The AV City Council, AV staff, and DLCD representative are in full support. Both properties can access public utilities.

Hare requested County support due to the complexity of the process. Hare explained that only half of the southern property was included in the UGB in 2009 because AV did not then have population needs for the entire property. AV has updated comprehensive plans, building codes, land use codes, and has expanded sewer and water capability. Because AV's population is under 10,000 people, it does not need as much analysis as Corvallis. The new development built and filled 170 homes, with 70% of residents coming from Corvallis. The expansion can only move south; to the west is Highway 99; to the east, prime farmland; to the north, E. E. Wilson Wildlife Area.

Wyse asked about other options if the Board does not initiate this project legislatively.

Verret replied that a property owner can apply to AV or the County for a conditional use permit. Unlike a permit, an application to amend the comprehensive plan does not have a time limit for a final decision.

Malone asked if area number 926 on the Weigel (south) property was originally included in the 2009 UGB expansion.

Hare replied that the land over to Highway 99 and down to Crane Lane was originally included in the first expansion, but AV did not meet the population projection at that time. The first development has roads and infrastructure going into the next part of the Weigel property, and all related drainage is planned for that land. The entire 42 acres is buildable unless significant wetlands are found; so far, only a few spots to the south have been found. AV is working with DLCD on mitigation options.

Malone emphasized the need for alternative transportation, including more frequent Corvallis Transit service, to avoid more cars on Highway 99. The Community Connections Path could connect to AV along 99W. A crossing from AV to 99W was proposed in the past.

Hare noted that AV is involved in the Transportation Service Plan (TSP) with Benton County and is also working on a trails plan including that connection. AV requires bicycle lanes and footpaths for all developments and supports connectivity to the Cities of Corvallis and Albany.

Byer added that AV has worked closely with the County on the TSP and the trails development plan through the Capital Area Metropolitan Planning Organization. Conversations about traffic impact will continue.

Verret outlined next steps: Depa and AV staff review the prepared material about Oregon Administrative Rules regarding UGB expansion, with input from the DLCD representative. A staff report is prepared for the planning commissions of each body; each will hold at least two public hearings with opportunity for public oral or written testimony. The County Planning Commission sends the Board a recommendation to approve, modify, or reject the plan. The City and County can hold a joint meeting if there are differences between the two versions.

Wyse asked if the County's role is to initiate the program and work through expanding the UGB, whereas the annexation is processed by AV.

Verret confirmed. If the Board has concerns, the matter could be reviewed as if from an applicant. If the Board approves, co-sponsoring with AV is an appropriate approach. In an application process, a fee offsets some County costs. Verret's main concern is timing and workload for County staff. Verret is now focused on the Community Wildfire Protection Plan and the Home, Opportunity, Planning, and Equity (HOPE) shelter recommendations. Tradeoffs will be needed, but staff will make it work.

Hare noted that AV hired a third-party contractor to prepare most of the findings. However, the County still has to review the material for either process.

In a private chat message to Malone, a member of the public asked about a new zone with increased density adopted by AV, as referenced in the meeting packet.

Hare replied that DLCD likes to infill at a higher density than AV code currently allows, so AV adopted an R-4 cottage cluster zone.

In a private chat message to Malone, Lynch requested a week's postponement so members of the public can review the proposed request, including details about type of units and demographics.

Hare clarified that a development is not being proposed yet.

Malone added that Lynch's concerns could be addressed at a later date.

MOTION: Malone moved to initiate the legislative process to amend the County's Comprehensive Plan Map and Zoning Map to expand the City of Adair Village's Urban Growth Boundary (UGB). Wyse seconded the motion, which **passed 2-0.**

Vice-Chair Wyse recessed the meeting at 10:01 a.m.

Vice-Chair Wyse reconvened the meeting at 10:06 a.m.

4.3 Discussion and Update on Justice System Improvement Program (JSIP) –
Nick Kurth, JSIP Project Manager; Alyssa Rash, PIO; Julie Fischer, Cogito consultant

Kurth reviewed that on September 28, 2021, Kurth will present engagement findings to date and discuss selecting the west or south sites, with a preliminary agreement to be reached on October 5, 2021. The second large public meeting is on October 13, 2021, and Kurth returns to the Board on October 19, 2021 for a final site selection.

Kurth explained that the JSIP vision of treatment and accountability is resonating with the public. New facilities under consideration include: crisis center, correctional facility, Sheriff's Office and Emergency Operations, and repurposing the historic courthouse (HCH). Public engagement has been underway for about 2 months, with 5 presentations this week and several more before October 13, 2021. Participants were asked to rank the importance of each facility, where to locate the new courthouse (suburban or downtown), and preferred option for repurposing the HCH. Site preference is not asked explicitly, as recommended by DLR Group, engineering and design consultants. Staff limited the number of questions due to time constraints.

Rash presented public engagement results from June-September 2021. Over 730 interested parties signed up for JSIP updates. Over 21 speaking engagements and small group conversations were held for 200 attendees. Fischer invited 106 stakeholder organizations to share the County's information. Staff hosted the first virtual community meeting on September 8, 2021; there were 79 attendees and 306 people who interacted with the post through Facebook livestream. The October 13, 2021 will provide more information. Rash asked if additional groups should be contacted about speaking engagements.

Kerby mentioned the Grand Oaks subdivision.

Fischer has emailed stakeholders (including the Board of the Homeowners Association) with potential dates and is awaiting response.

Hahn shared that a community member suggested talking to the provider group working with Julie Arena, Home, Opportunity, Planning, and Equity (HOPE) Coordinator.

Rash replied that staff will speak to the HOPE Advisory Board tomorrow.

Wyse asked about the City Councils of Adair Village and Monroe.

Rash shared that the team has engaged other municipalities, including outreach to schools, chambers of commerce, and grange halls; responses have been slow, but contact continues.

Wyse also suggested Community Action Committees for rural areas. Kerby suggested Verret as a point of contact.

Malone opined that groups should be as large as possible given the amount of staff time each meeting requires.

Rash noted the team uses reminders to maximize attendance. Attendance has improved in the shift from small group conversations to speaking engagements. Attendees are encouraged to fill out the post-meeting survey.

Kurth acknowledged concerns about number of staff, but noted that broad staff support shows the County's commitment and preparation. Small groups can lead to more in-depth discussions.

Rash shared that partners will be key ambassadors, and attendees appreciate getting expert answers. Kurth can provide email follow-ups to attendees. There is good return on investment.

Rash shared sample comments from attendees, such as:

- importance of programs and facilities being connected; proposed improvements provide both accountability and treatment
- concerns about economic burden of added taxes to low-income/retired homeowners; doubt about a \$100 million measure passing
- concerns about geographic equity of locations (safety, property valuation); "not in my backyard" (NIMBY) comments from residents near sites
- concerns about transportation impacts on neighborhoods, especially from the west site
- the Courthouse needs to be downtown, part of civic life, visible, supports other jobs; protests and rallies should be visible and not happen in neighborhoods
- preference for a centralized location for lower costs and greater efficiency; centralized security recommended
- concerns that natural disasters such as flooding could shut off emergency services (especially at the south site); Emergency Operations Center needs to be viable
- lack of trust in County financial decisions

Rash showed an invitation email which was forwarded by stakeholder groups and electeds. The September 8, 2021 virtual community meeting featured Kerby, Augerot, Brown, Devaney, Van Arsdall, Byer, and two DLR representatives. Poll results from this meeting:

- Rank the facilities by importance: a majority of respondents prioritized the crisis resource center, followed by the correctional facility. There were mixed results for the new courthouse (NCH) and Sheriff's Office/ Emergency Operations.
- Where put the NCH: about 65% prefer downtown, which holds true for most engagements. A small vocal minority prefers the efficiency of a justice campus combining NCH and correctional facility.
- Which HCH option do you favor: 47% support upgrading for public access; 42% use for public access without upgrades, 10% maintain for District Attorney's office.

Neville asked Rash to expand on comments about lack of trust in County financial decisions.

Kurth replied that those comments reflect two presentations, mostly to Benton County Sheriff's Office staff, who are core users of two facilities. Opinions related to the County's funding prioritization for proposed facilities, and questions on past Law Enforcement decisions.

Kurth summarized decisions to be made before April 2022: cost of bond, locations, HCH and NCH, south and west site preference. Draft and final purchase and sale agreement to follow site selection.

Malone felt the 'NIMBY' concern is legitimate and should be addressed, but the current jail location does not have significant safety problems; the problem is the facility. A similar concern

on the last justice system bond measure brought significant opposition from City of Philomath residents. Images of modern facilities show the public that facilities could be a positive addition to a neighborhood. Traffic is a big west site concern, but the facilities will not significantly impact current traffic issues at any site.

Kerby encouraged staff to be empathetic to community members and address concerns without judgment.

Wyse cautioned staff against using the 'NIMBY' term, which sounds dismissive. Public concerns are valid. In future, refer to balancing neighborhood concerns with other pros and cons.

Kerby, Malone, and Wyse thanked staff for this important work.

Malone commented on the importance of informing the public about limitations of the current facility, and stressed that staff on the front lines need the tools to be successful. Staff are doing a heroic job in an inadequate facility.

V. Consent Calendar

- 5.1 In the Matter of Extending the Oregon Youth Authority (OYA) Lease Agreement with Linn Benton Detention Center for 1 year – Matt Wetherell, Juvenile Director**
- 5.2 Appointment to the Willamette Criminal Justice Council - Leslie Soriano**
- 5.3 Approve August 17, 2021 Joint City/County Work Session Minutes**
- 5.4 Approve August 17, 2021 Tuesday Board Meeting Minutes**
- 5.5 Approve August 24, 2021 Tuesday Board Meeting Minutes**

MOTION: Malone moved to approve the Consent Calendar of September 21, 2021. Wyse seconded the motion, which **passed 2-0.**

PH 1 In the Matter of a Public Hearing Adopting Supplemental Budget FY2021-023 - #22031, Resolution No. 2021-024 – Jennifer Ambuehl, Finance Services

Vice-Chair Wyse opened the public hearing at 11:00 a.m.

Staff Report

Ambuehl explained that five funds need updates. The General Fund has a net appropriations increase of \$693,207. Within that, General Government Operations increases \$561,500 to set up appropriation for Coronavirus Aid, Relief, and Economic Security (CARES) Act equity funds to cover anticipated vaccination costs (staff, materials, and vaccination van). Natural Areas, Parks & Events increases \$121,600 for general staff and operations, transferred from the Fair Fund due to an error. Contingency increases \$10,107 due to increased revenue from the Oregon Judicial Department (OJD).

The Fair Fund has a reclassification of appropriation authority in Cultural and Educational Operations, decreasing \$121,600 due to the Fair Fund transfer. The HUD Grant Fund was renamed the Special Grant Fund. Community Services Operations increases \$1,100,000 due to three grants for child care, the Food Bank, and housing assistance. Appropriations increases the

same amount to pass the grants to outside agencies. The Court Security Fund increases \$19,984 in contracts for services due to the OJD revenue. The Trust Fund increases \$8,743 in professional services for court mediation, also OJD revenue. Overall increase is \$1,821,934; Operations increases \$1,690,227; Transfers increase \$121,600; Contingency increases \$10,174.

Public Comment

No comment was offered.

Vice-Chair Wyse closed the public hearing at 11:06 a.m.

MOTION: Malone moved to adopt Resolution #R2021-024 in the matter of Supplemental Budget #22031. Wyse seconded the motion, which **passed 2-0.**

PH2 In the Matter of a Second Hearing Regarding the Annexation of Property Within the Dumbeck Lane Domestic Water District (DL) into the North Albany County Service District (CSD) – Vance Croney, County Counsel; Gary Stockhoff, Public Works

Vice-Chair Wyse opened the public hearing at 11:08 a.m.

Staff Report

Counsel explained that the first hearing was to determine whether it is in the public interest to annex DL into the North Albany CSD. The County is required to provide notice and opportunity for any elector in the area to file a letter. No letters were filed. The October 21, 2021 effective date allows DL customers to close and transfer their accounts.

Public Comment

No comment was offered.

Vice-Chair Wyse closed the public hearing at 11:10 a.m.

MOTION: Malone moved to approve Order Number D2021-065 in the matter of annexing property within the Dumbeck Lane Domestic Water Supply Special District into the North Albany County Service District effective October 21, 2021. Wyse seconded the motion, which **passed 2-0.**

VI. New Business

6.1 In the Matter of Dissolving Dumbeck Lane Domestic Water Supply District pursuant to ORS 198.940 – Vance Croney, County Counsel

Counsel explained that the DL board, being unable to recruit new board members, adopted a resolution by statute to dissolve the special district and forward the matter to the Board of Commissioners. Remaining DL funds will be used to pay down DL's loan from Business Oregon, with the remainder to be paid by the County. Infrastructure will be transferred to the City of Albany.

Responding to a question from Malone, Counsel replied that DL has paid about \$300,020 of the \$377,000 loan balance. Once DL transfers its remaining cash to the CSD, the County will apply that to the balance. The County probably has to contribute about \$20,000 to pay off the loan. The loan will not be transferred to North Albany. When that is complete, adjusted customer rates can be determined. Customers still owing on loan repayment accounts will continue to pay \$19 per month to Albany.

MOTION: Malone moved to adopt Order No. D2021-066 dissolving the Dumbeck Lane Domestic Water Supply District. Wyse seconded the motion, which **passed 2-0.**

6.2 In the Matter of Approving a Notice of Intent Applying for Funding from the Federal Lands Access Program (FLAP) for the South Fork Road Corridor –
Laurel Byer, Public Works

Byer explained that the FLAP grant is available through the Western Federal Lands Group (WFLG) for local agencies to improve roads leading into Federal lands. A 2016 corridor study by the Bureau of Land Management (BLM) and Cascades West Council of Governments found many safety issues on South Fork Road, Alpine Road, and Alpine Cutoff Road, the main entrances to Alsea Falls recreation site and the Fall Creek bicycle trail system. The BLM received funding to improve its portion of the roads, which will enhance the County's application. The application is being drafted in coordination with the BLM and is due October 7, 2021. WFLG is required to administer the project; a Federally-led project costs more than a County-led one, so the application will request \$3-5 million. The County has a required match of 10.27% of project costs, or about \$300,000, to come from the Public Works Road Fund. Work to occur in Fiscal Year 2024-25.

MOTION: Malone moved to approve the Notice of Intent to apply for funding through the Federal Lands Access Program for surface preservation and upgraded signage on Alpine Road, Alpine Cutoff Road, and South Fork Road in accordance with the South Fork Road Corridor Plan. Wyse seconded the motion, which **passed 2-0.**

6.3 Discussion and Decision in Establishing a New Behavioral Health Position –
Dannielle Brown, Health Services

Brown explained the need for a Customer Service Representative to support children's services. Salary and benefits total \$74,437 per year for an A-13 American Federation of State, County, and Municipal Employees represented position, funded through revenues from contracts with OHA, InterCommunity Health Network, and health center wraparound payments. Currently Behavioral Health has one CSR supporting about 60 staff for all mental health and substances programming. This position would support 15 staff. Staff are working on a second children's services location; this position would move to that site.

Kerby noted that the Position Review Committee examines position requests made outside the normal budget process, and has reviewed this request.

MOTION: Malone moved to approve the establishment of a 1.0 Regular position, Client Services Representative. Wyse seconded the motion, which **passed 2-0.**

Vice-Chair Wyse recessed the meeting at 11:40 a.m.

Vice-Chair Wyse reconvened the meeting at 11:45 a.m.

6.4 Discussion and Decision to Approve the United Way of Linn, Benton & Lincoln Counties Application to Include Benton County as an Employee Payroll Deduction --
Mary Otley, Debbie Parsons, Finance Services

Otley explained this is the first request by an organization to be a workplace charitable giving agency for the County. The charitable giving policy was adopted October 1, 2019. Any

organization that meets the criteria may apply. Finance and Human Resources review applications and present options to the Board annually by September 30, 2021.

MOTION: Malone moved to approve the United Way of Linn, Benton & Lincoln Counties application to be included in the organizations that Benton County employees can contribute to through a payroll deduction. Wyse seconded the motion, which **passed 2-0.**

6.5 Discussion and Decision Regarding Financial Request from Corvallis Housing First (CHF) to Provide \$75,000 to Complete the Renovations of Third Street Commons (TSC) – Joe Kerby, County Administrator; Suzanne Hoffman, Health Services

Kerby explained that in fall 2020, the City of Corvallis, Benton County, and other providers applied for a State Project Turnkey grant to purchase hotels/motels to address housing and homelessness issues during COVID-19 response. The grant allowed CHF to purchase the Budget Inn (now TSC). CHF made facility improvements costing about \$419,000 above the purchase price. CHF has received partial reimbursement and donations from other organizations, but about \$94,000 is not covered. CHF has asked Corvallis and the County for up to \$75,000.

Hoffman explained that CHF is a key partner in implementing many HOPE recommendations, including the top priority of sheltering as many people as possible this winter. TSC will be used as a shelter now and later as permanent supportive housing. CHF has opened 12 of 25 rooms, sheltering 16 people, and intends to increase capacity. The buildings need repair and upgrades, including issues not discovered until construction began. Oregon Community Foundation and other organizations contributed to repairs. CHF has used its own reserves and needs assistance to replenish some of those reserves.

Kerby contacted Corvallis City Manager Mark Shepard about sharing the cost, but the City cannot do so at this time. Later this year the City will consider a contribution from CARES Act funds, but Kerby recommended that the County fund the full amount now.

Otley noted the County has \$4.4 million in reserves, with \$500,000 allocated for HOPE costs. There are also unallocated American Rescue Plan Act (ARPA) funds under discretionary funds for lost revenues or allowed expenses. In 2020, the County had about \$3 Million in lost revenues; 2021 data cannot be calculated till end of year. Allowable ARPA discretionary fund uses could include housing.

Malone emphasized the urgency of increasing available winter shelter and was comfortable funding the full amount from HOPE reserves or other sources, with the hope that Corvallis might contribute by end of year.

Wyse expressed support for the project but requested that Andrea Myhre, CHF, provide more information to the Board at a later meeting to allow more time for deliberation.

Kerby noted this would also allow Augerot to be present. Kerby suggested that a future motion include the funding source and asked if the Board had a preference.

Malone requested staff guidance on funding sources.

Kerby noted the County does not have a formal process for funding external agencies outside of the budget cycle; Otley and Kerby have discussed a more formal approach in future. The \$500,000 HOPE reserve may not be enough for all HOPE needs. Kerby to schedule Myhre to speak within the next two weeks.

Malone felt developing a formal process would be worthwhile to help prioritize spending.

Vice-Chair Wyse recessed the meeting at 12:15 p.m.

VII. Other

7.1 Board Tour of Two Potential JSIP Sites

Vice-Chair Wyse reconvened the meeting at 3:17 p.m. at the potential JSIP site at the south end of Deschutes Avenue in south Corvallis.

Wyse, Malone, and staff toured the potential JSIP site south of Deschutes Avenue. The Board then travelled to and toured a second potential JSIP site at the corner of 53rd Street and SW Reservoir Avenue.

VIII. Adjournment

Vice-Chair Wyse adjourned the meeting at 4:46 p.m.


Nancy Wyse, Vice-Chair
Erika Milo, Recorder

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

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 09/21/21

[View Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Community Development

Contact Name * Patrick Depa

Phone Extension * 541-760-2993

Meeting Attendee Name * Patrick Depa & Greg Verret

Agenda Item Details

Item Title * Request to Initiate Legislative Process to Expand Adair Village Urban Growth Boundary

Item Involves * Check all that apply

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

Estimated Time * 20 Minutes

Board/Committee Involvement *

- ☐ Yes
- ☒ No

Advertisement*

- ☐ Yes
☒ No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues*

In response to a request by the City of Adair Village (City), staff comes before the Board of Commissioners to discuss initiating the legislative process to amend the Adair Village urban growth boundary (UGB). The City has identified a need for additional housing land to be added to the UGB and two property owners are requesting their land be added to the UGB. The City is requesting that the County participate in a joint legislative process to amend the County Comprehensive Plan and Zoning Map. Pursuant to the Urban Growth Management Agreement, the process would involve staff preparing documents and reports, separate hearings by the City and County Planning Commissions and then a joint hearing by the Board of County Commissioners and the Adair City Council. If the County and City determine that state rules and County/City criteria governing UGB expansions are satisfied, then the result would be to add approximately 55 acres of land to the UGB and re-zone the land from Exclusive Farm Use to Urban Residential (UR-50). The City of Adair Village would then subsequently annex the properties into the city and assign a zoning designation that it deems appropriate.

From the Benton County Comprehensive Plan

Procedure for Amending the Comprehensive Plan:

1. Initiation of Amendments: A Comprehensive Plan Map or Text amendment may be initiated by the Board of Commissioners, either on the Board's own volition or in response to petition from the Planning Commission, Planning Official, Citizen Advisory Committees (CACs), or private individuals.

The owners of the properties involved (Ron Weigel and Tim Cornelius) have retained a land use consultant to prepare the necessary findings to support the annexation proposal.

Background: In 2017, DOWL engaged in a process on behalf of property owner Tim Cornelius to expand the City of Adair Village (City) Urban Growth Boundary (UGB). As a part of this process, an application was submitted to Benton County (County) for a Comprehensive Plan Amendment accompanied by a comparative site analysis consistent with the requirements of Statewide Planning Goal 14. That application did not progress due to insufficient population growth data. However, over the last year, Portland State University (PSU) Population research Center revised its population growth figures for the City of Adair Village. These figures now support the need for a UGB expansion.

In the original application the Cornelius Property was identified as the priority area of expansion because of the immediate ability to extend urban services to the property. Since the time of the original application, the abutting property to the north of the Weigel Property has been developed with a residential subdivision (Calloway Creek). As a result, urban services are now readily available to the Weigel property making it an equally viable area for UGB expansion.

A Housing Needs Analysis conducted for the City of Adair Village 2015 Comprehensive Plan Update identifies a need for an additional 45 acres of buildable land to meet the projected housing demands by the Year 2026. The recently updated Portland State University Population Forecast projects that the City of Adair Village will have a population of 1,846 by 2025 and 2,068 by 2030. Based on these figures and previously conducted site analysis, the City of Adair Village is proposing to expand their UGB to include both the Weigel Property and the Cornelius Properties.

ORS 197.296(2)(a) states that "A local government shall demonstrate that its comprehensive plan ... provides sufficient buildable lands within the urban growth boundary to accommodate estimated housing needs for 20 years."

Options *

- A. Initiate the legislative process.
- B. Direct staff to return with additional information for further consideration.
- C. Decline to initiate the legislative process.

Fiscal Impact *

- ☒ Yes
- ☐ No

**Fiscal Impact
Description ***

Associate Planner, Patrick Depa, assigned to the Adair Village for planning services would be leading the corresponding process between the City and the County for this amendment and legislative action. The consultants, on behalf of the property owners and the City of Adair Village will supply the majority of the necessary data and findings to support the action. Mr. Depa will be verifying the findings, preparing the staff reports and facilitating the public notice processes. In addition, the Community Development Director would be involved in project coordination, reviewing staff reports, attending meetings and participating in public hearings.

This project is anticipated to utilize most of Mr. Depa's time allocated to Benton County and to the City of Adair Village over approximately 5-6 months.

2040 Thriving Communities Initiative

Mandated Service? * ☐ Yes ☒ No

2040 Thriving Communities Initiative

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

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

Values and Focus Areas

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

Core Values *

Select all that apply.

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

Explain Core Values Selections *

Benton County will strive for access to affordable, safe, and stable housing for all while retaining a sense of place in the face of growth pressures.

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 proposed expansion of the UGB borders existing urban uses, it provides for the economical extension of existing facilities and services and is consistent with the City's sewer plans and other facility plans. Including the proposed land within the UGB will create an efficient land use pattern and will minimize potential compatibility issues both with urban and agricultural uses.

Expanding the UGB to the south to include the proposed area would not create any foreseeable adverse impacts as they will be separated from the adjacent uses by the Southern Pacific Railroad right-of-way, and the Crane Road right-of-way. It is important to note that the Weigel property contains no Class I soils and currently lay fallow.

In 2015, The City of Adair Village updated its Comprehensive Plan and developed an urbanization strategy based on smart growth principles. From that work, the City Council developed several new growth management principles to guide future growth and staff drafted new code language in anticipation of a future UGB expansion. Recently, the City Council approved and adopted a new residential zone to allow for increased density and annexed 5 acres into the center of the City for a future downtown area to continue implementing their vision.

Recommendations and Motions

Item Recommendations and Motions

Staff

Recommendations *

Staff recommends the Board consider the priority level placed on this project by the City of Adair Village as well as the relative importance of the project among County priorities.

The Board should also consider that by sponsoring a legislative process the County is putting its support behind the concept of expansion of the Adair Village UGB. While approval of the expansion would not be a foregone conclusion, it will be perceived by the public that the County (along with the City) is proposing this amendment. In the previous expansion of the Adair Village UGB (2006-2008), which was proposed via an application submitted by the property owner, there was significant opposition from property owners in the vicinity. This time could be different, or could spur similar opposition.

If the Board has concerns about expanding the Adair Village UGB, then staff recommends considering carefully whether or not to initiate this process as a legislative (County-sponsored) process.

If the Board is inclined to support expanding the UGB, then staff recommends initiating legislative process.

Meeting Motions *

I move to ...

I move to initiate the legislative process to amend the County's Comprehensive Plan Map and Zoning Map to expand the City of Adair Village's Urban Growth Boundary (UGB).

Or,

I move to decline to initiate the legislative process in this matter.

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.

Proposed UGB Expansion Property.docx	1.98MB
tentative map.pdf	262.43KB

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

Department GREG VERRET
Approver

Department Approval

Comments

Signature



Greg Verret

BOC Initial Approval

Approvals Required ☒ Counsel

☐ Finance

☐ HR

Counsel Approver VANCE CRONEY

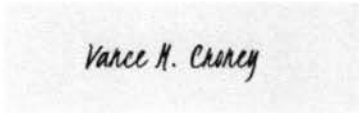
County Administrator Approver
JOE KERBY

Comments

Counsel Approval

Comments

Signature



Vance H. Cheney

County Administrator Approval

Comments

Signature

A rectangular stamp containing a handwritten signature in cursive script that reads "Joseph Kerby". The stamp has a light, textured background.

BOC Final Approval

Comments

Signature

Teresa Farley

Corneilus Property



Weigel Property

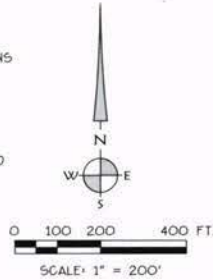


CURVE DATA TABLE:

CURVE	RADIUS	LENGTH	CHORD
C1	348.0'	135.0'	N82°08'26"E 134.3'
C2	75.0'	62.2'	S83°52'25"E 60.5'
C3	14.0'	22.6'	S13°57'12"E 20.2'
C4	335.0'	174.3'	N16°51'19"E 177.2'
C5	5649.7'	1048.0'	S35°41'36"W 1046.4'

LEGEND:

- 300' CONTOURS / ELEVATIONS
- SECTION LINE
- 100 YEAR FLOODPLAIN
- WETLANDS AS SURVEYED



TENTATIVE PARTITION PLAT

FOR
RST WEIGEL LLC

LOCATED IN
TAX LOT 201 MAP 105-04W-32,
TAX LOT 205, MAP 105-04W-31

IN THE
CITY OF ADAIR VILLAGE, BENTON COUNTY, OREGON

MAY 18, 2021

APPLICANT:

DENNIS DERBY
1037 S SCALLOP DR
GILBERT, AZ 85233

OWNER:

RST WEIGEL LLC
16535 SE ANNA EVE DRIVE
MILWAUKIE, OR 97267

SURVEYOR:

K+D ENGINEERING, INC.
276 NW HICKORY ST.
ALBANY, OR 97321

NOTE:

DATA SHOWN ON THIS MAP IS
BASED ON BENTON COUNTY GIS
DATABASES, ASSESSOR RECORDS,
RECORD DEED INFORMATION.

PARTITION INFORMATION:

TAX LOT:

TAX LOT 205, MAP 105-4W-31
TAX LOT 201, MAP 105-4W-32

SITE ADDRESS:

ADDRESS UNASSIGNED

BENTON COUNTY ZONING:

EFU - EXCLUSIVE FARM USE

CITY OF ADAIR VILLAGE ZONING:

R-3 - RESIDENTIAL HIGH DENSITY

CURRENT USE:

VACANT - CULTIVATED GRASS

TOTAL PROJECT AREA (GROSS):

TAX LOT 205 = 45.11 ACRES
TAX LOT 201 = 5.28 ACRES
TOTAL AREA = 50.39 ACRES

PER BENTON COUNTY ASSESSORS DATA

TOTAL NUMBER OF PARCELS:

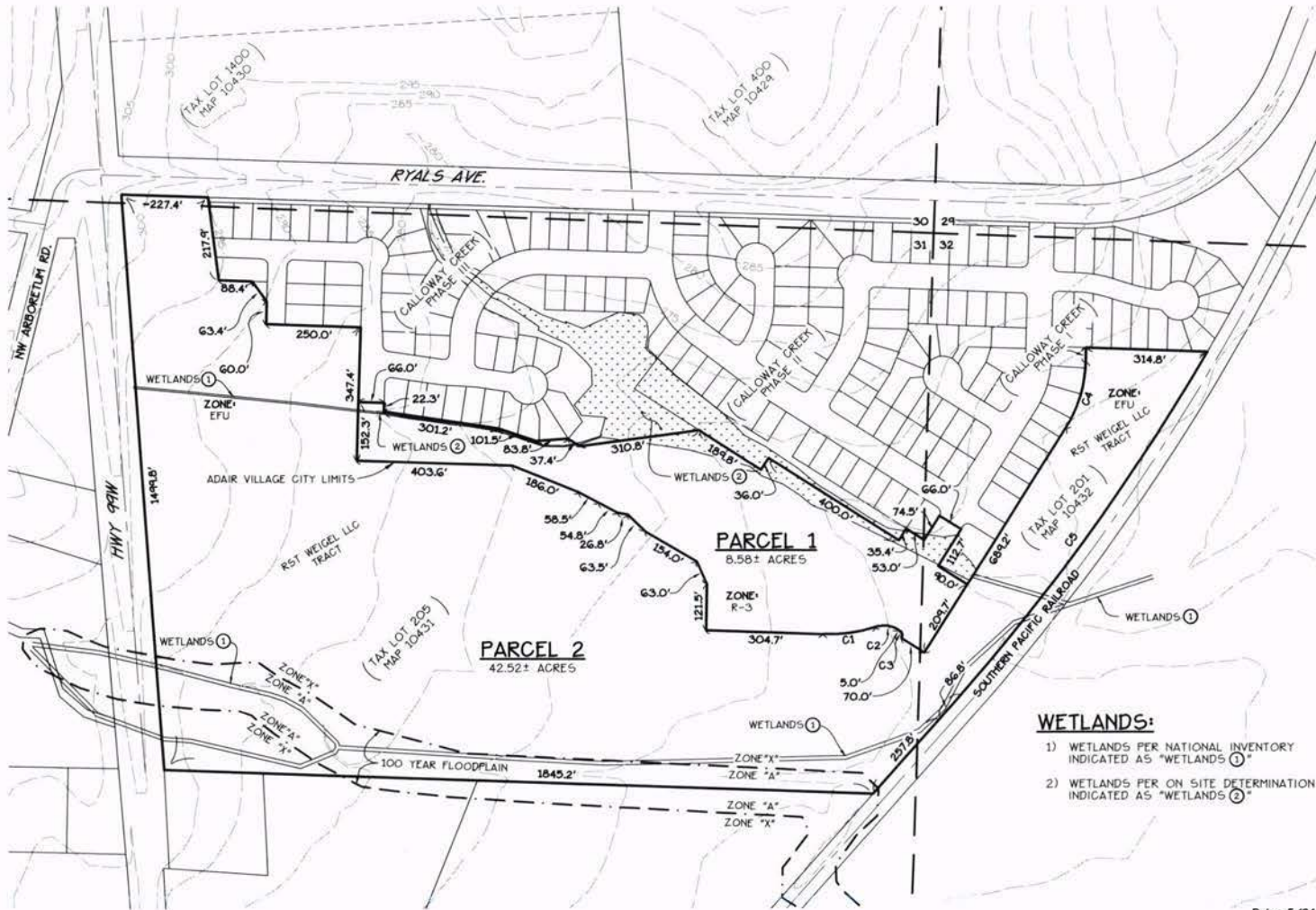
2 PARCELS WILL CREATED OUT OF 1 PARCEL

FLOOD ZONE:

SUBJECT PROPERTY IS WITHIN A ZONE "A" AREA
PER FIRM (FLOOD INSURANCE RATE MAP) NO.
4100300100F, DATED JUNE 2, 2011.

WETLANDS:

- 1) WETLANDS PER NATIONAL INVENTORY
INDICATED AS "WETLANDS ①"
- 2) WETLANDS PER ON SITE DETERMINATION
INDICATED AS "WETLANDS ②"



Date: 5/24/2021 Time: 10:56
Scale: 1"=100'
File: dwg\2017\17-55-k\Partition\17-55k-tpd.dwg (George)

K+D K & D ENGINEERING, Inc.
276 N.W. Hickory Street P.O. Box 725
Albany, Oregon 97321
(541) 928-2583

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- SECTION LINE
- 100 YEAR FLOODPLAIN
- WETLANDS AS SURVEYED

0 100 200 400 FT.
SCALE: 1" = 200'

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MAY 18, 2021

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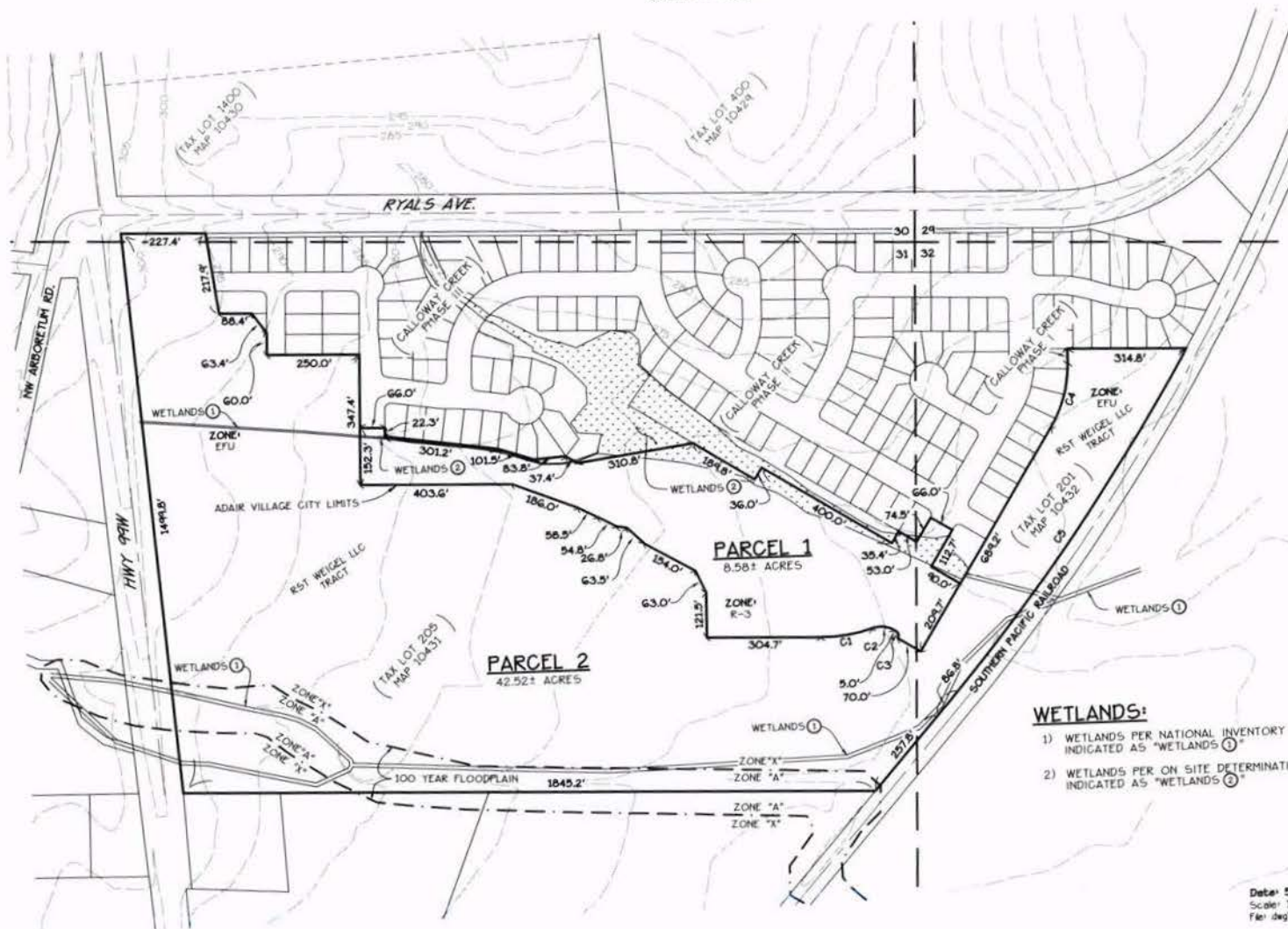
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K&D

K & D ENGINEERING, Inc.
276 NW Hickory Street P.O. Box 725
Albany, Oregon 97321
(541) 928-2083

Date: 5/24/2021 Time: 16:56
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BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 09/21/21

[View Agenda Tracker](#)

Suggested Placement * Work Session

Department * Board of Commissioners

Contact Name * Nick Kurth

Phone Extension * 6076

Meeting Attendee Name * Nick Kurth and Julie Fisher, Cogito

Agenda Item Details



Item Title * Justice System Improvement Program(JSIP) Public Engagement Preliminary Findings

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 - 60 minutes

Board/Committee Involvement *

- ☐ Yes
- ☒ No

Advertisement*

☐ Yes

☒ No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues * Informational

Options * None

Fiscal Impact *
☒ Yes
☐ No

Fiscal Impact Description * The preliminary findings will help inform a decision on JSIP site selection at a later BOC meeting that will have a fiscal impact.

2040 Thriving Communities Initiative

**Mandated
Service? ***

- ☐ Yes
☒ No

2040 Thriving Communities Initiative

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

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

Values and Focus Areas

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

Core Values *

Select all that apply.

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

Explain Core Values Selections *

JSIP Vision: The residents of Benton County require an effective, efficient and equitable criminal justice system that maintains public safety and holds people accountable, while providing treatment opportunities that address underlying causes of criminal behavior.

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 *

JSIP Vision: The residents of Benton County require an effective, efficient and equitable criminal justice system that maintains public safety and holds people accountable, while providing treatment opportunities that address underlying causes of criminal behavior.

Recommendations and Motions

Item Recommendations and Motions

Staff	No recommendation - information only
Recommendations*	

Work Session	I move to ...
Motions*	NA

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.

Comments (optional) JSIP communications team is working on the PowerPoint presentation and will provide at a later date, but no later than Monday morning.
If you have any questions, please call ext.6800

Department Approver TERESA FARLEY

Department Approval

Comments

Signature

Teresa Farley

BOC Initial Approval

Approvals Required ☐ Counsel
☐ Finance
☐ HR

County Administrator Approver
JOE KERBY

Comments

County Administrator Approval

Comments

Signature



Joseph Kerby

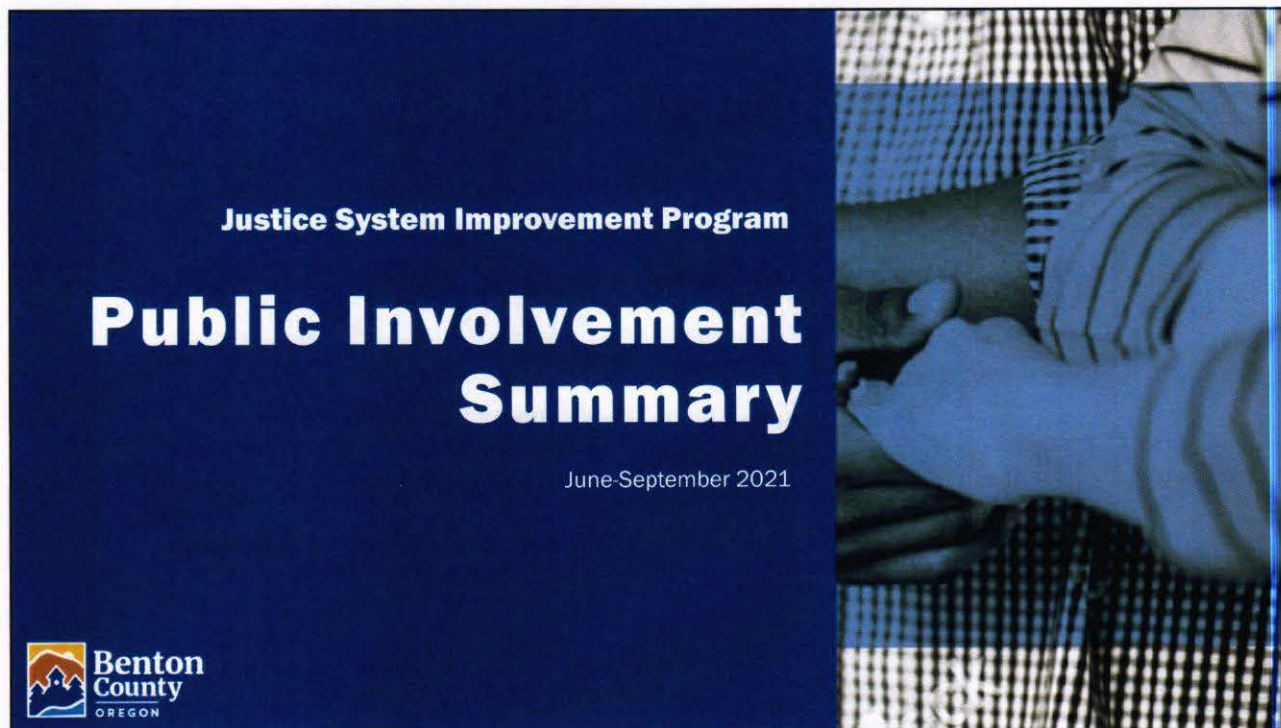
BOC Final Approval

Comments

Signature



Teresa Farley



Justice System Improvement Program

Public Involvement Summary

June-September 2021



Vision

Treatment and accountability to transform lives, ensure safety, and strengthen community.

Goal

Build an **equitable, effective, and safe** justice system for all Benton County residents.

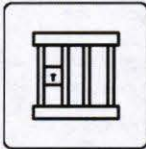


New facilities: *What and why*

Crisis
Center



Correctional
Facility



County
Courthouse



Sheriff &
Emergency
Operations



Treatment helps address underlying needs.

All community members need to feel safe and have fair and equitable access.

Victims and the public know dangerous offenders are off the street and receiving treatment.

Modern buildings with new technology assist in saving lives.



Key questions we asked

- Please rank the **importance of each facility**.
- Where should the new **Courthouse** be located?
- Which option do you favor to **repurpose the Historic Courthouse**?



Outcomes: *June-September 2021*

- Built a **730+ Interested Parties List**, sent 4 meeting invites/project updates.
- Conducted **21+ speaking engagements** and small group conversations with **200+ attendees**. Over 300+ people were invited.
- Hosted a virtual community meeting on September 8. Another meeting is scheduled for October 13.
 - At the September 8 meeting, the County received **137 RSVPs**, **79 attendees**, and **130 interested/attending** the Facebook event.
- Emailed **106 stakeholder organizations** individually, introducing them to the project and inviting them to share information about the virtual community meeting.



Speaking engagements & small group conversations

Speaking Engagement:

Present at an organization's regularly scheduled meeting

Small Group Conversation:

A meeting hosted by Benton County where participants are individually invited.



Albany Police Department	7/27/21
Corvallis Police Department	8/12/21
Corvallis Chamber of Commerce	9/3/21
Benton County Sheriff's Office staff	7/15/21, 7/28/21 & 8/11/21
Downtown Corvallis Association	8/18/21
Health and Social Service Providers	8/12/21
League of Women Voters of Corvallis	9/20/21
Linn-Benton Hispanic Advisory Committee	8/31/21
Living Southtown	7/29/21
Mental Health, Addictions & Developmental Disabilities Advisory Committee	9/7/21
Municipalities and OSU	7/26/21 & 8/4/21
NAACP Corvallis/Albany	9/21/21
Spanish Speaking residents and organizations	9/17/21
Visit Corvallis	9/23/21
West Hills Neighborhood Association	8/8/21
Willamette Landing Homeowners Association	9/13/21

Example quotes and comments

- This is the best connection between **programs and facilities** I have seen. That is the hook for me and many others.
- The cost for retired, low income or single-earner income households is going to **be really hard for property owners** to stomach. I feel like I'm being driven out of my home.
- Seeing the options for justice system facility buildings helped me realize it's **not just concrete and barbed wire**.
- I would like to hear debate about the **geographic equity** of the location issue.



- We have a **problem on the West Hills with transportation** because of the great deal of growth and our infrastructure is substandard. The addition of a justice center will exacerbate that system greatly.
- Transportation is a big issue. A lot of my clients would have a **long bus ride** if its in the south or west site.
- Southtown residents feel like we constantly get the **short end of the stick**.
- I'm concerned about **flooding** with the south site, especially in the event of Cascadia. Having emergency services in Southtown and cut off is not a good thing.
- **110% the Courthouse needs to be downtown**. It's our civic life and supports other jobs down there.



- It will be **less costly** to build everything all in one location in less phases.
- I recommend **centralized security** for as many people as possible. One site makes sense; same staff for several uses would be efficient.
- Even if we have a few dozen more beds, it'd get a lot of the habitual **offenders out of circulation**.
- Good Sam has cut their mental health facilities drastically. If someone is in crisis, **there's nowhere for them to go right now**.
- As we look at the climate crisis and pandemic, there's more and more likelihood that **we need Emergency Operation Centers** that are very viable for the community.



September virtual community meeting

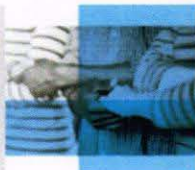


Justice System Improvement Program

BUILDING A JUSTICE SYSTEM FOR THE FUTURE

Accountability and treatment to transform lives, ensure safety, and strengthen community

Join the conversation about how to build an equitable, effective, and safe justice system for all Benton County residents at our first community meeting.



Save the date!

What: Virtual Community Meeting

When: Wednesday, September 8 from 5:30-7:00 p.m.

Where: [Register here to join us via Zoom Webinar](#)

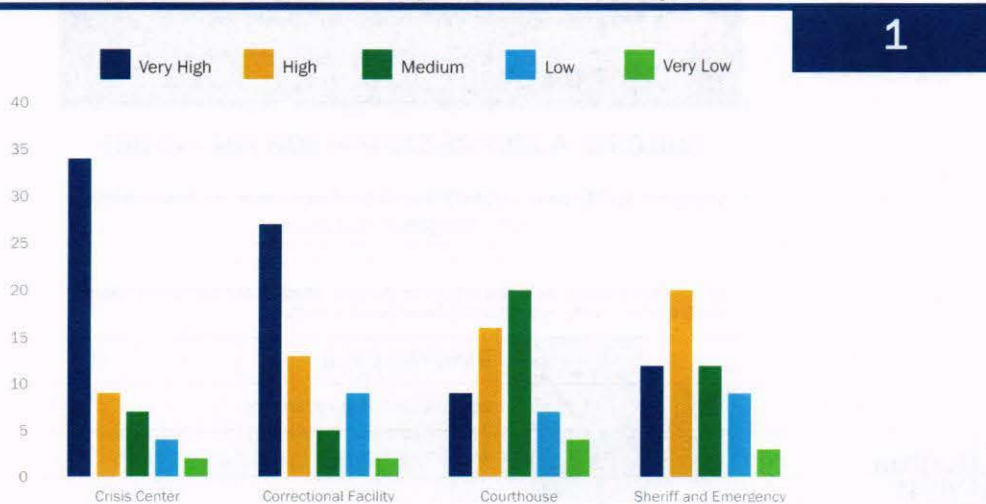


Presenters / Q&A panel



Poll results from September 8 meeting

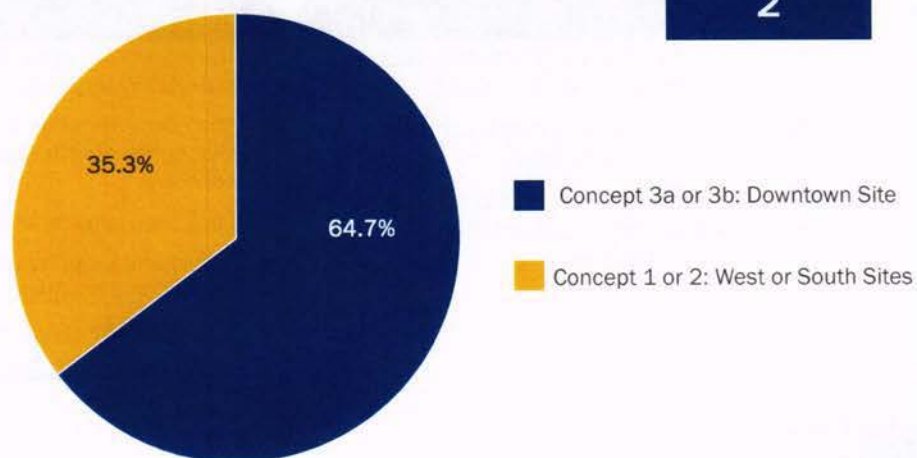
Please rank the importance of each facility to the community.



Poll results from September 8 meeting

Where should the new Courthouse be located?

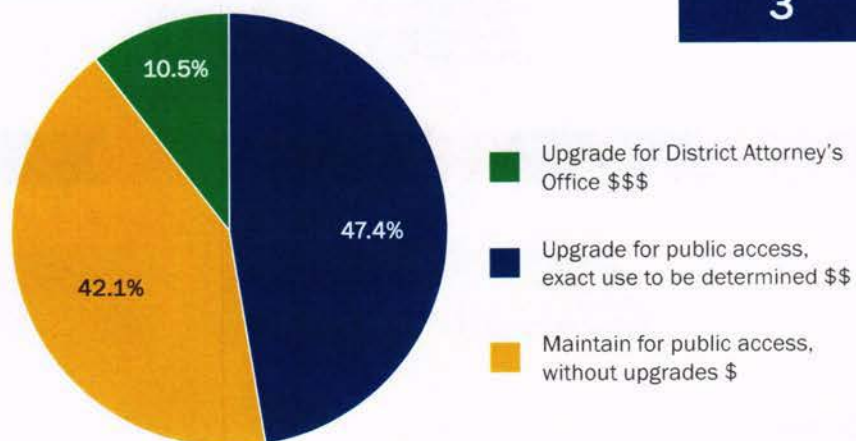
2



Poll results from September 8 meeting

The County is studying options to repurpose the Historic Courthouse. What do you favor?

3



Key takeaways

Opportunities voiced by the public

- Improvement of community safety, security, and the ability to respond to crisis.
- Operational efficiencies can be created through co-locating facilities.
- The proposed improvements provide both accountability and treatment through programs and facilities.

Concerns and questions from the public

- Transportation impacts to neighborhoods, specifically the West site.
- Site concerns, such as flooding on the south site, supporting infrastructure and gateway concerns.
- Economic impacts of added taxes to residents.
- Safety and property valuation concerns near correctional facilities.
- Equity/NIMBY concerns regarding site location.
- Lack of trust in County financial decisions.



Next steps



NEXT COMMUNITY MEETING

Wednesday, October 13 from 5:30-7:00 p.m.

Register online at: bit.ly/BentonCoGov-JSIP-Webinar2

**Questions or
comments?**

Learn more at: co.benton.or.us/justice

Nick Kurth, program manager
Justice System Improvement Program
nick.kurth@co.benton.or.us
Phone: 541-766-6076



At your service,
every day.



/BentonCoGov



@BentonCoGov



@BentonCoGov



/BentonCountyGov



Benton County

BOC Agenda Checklist - Initial Review

Agenda Placement and Contacts

Suggested Agenda Date 09/21/21

[View Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Juvenile

Contact Name * Matt Wetherell

Phone Extension * 6064

Meeting Attendee Name * Matt Wetherell

Agenda Item Details

Item Title * In the matter of approving the Juvenile Detention Lease Agreement IGA

Item Involves*

Check all that apply

- ☐ Appointments
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- ☒ Contract/Agreement
- ☐ Discussion and Action
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- ☐ Public Comment
- ☐ Special Report
- ☐ Other

**Board/Committee
Involvement***

- ☐ Yes
- ☒ No

Advertisement*

- ☐ Yes
- ☒ No

Issues and Fiscal Impact

Item Issues and Description

**Identified Salient
Issues***

This matter is before the Board to review the Lease Agreement extension for the Linn-Benton Detention Center facility space owned by the Oregon Youth Authority, managed by Linn County Juvenile Department, wherein Benton County juveniles are placed when engaging in delinquent activity and behaviors contrary to community safety.

Options*

1. Approve and sign Lease Agreement Extension
2. Do not approve Lease Agreement Extension

Fiscal Impact*

- ☐ Yes
☒ No

2040 Thriving Communities Initiative

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 Public safety
Selections*

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*

Maintaining beds at the Linn-Benton Juvenile Detention Center for the placement of Benton County juveniles engaging in delinquent activity provides community safety through an immediate intervention to behaviors contrary to community safety.

Recommendations and Motions

Item Recommendations and Motions

Staff Staff recommends to approve and sign lease agreement extension.
Recommendations *

Meeting Motions * I move to ...
I move to approve and sign the lease agreement extension associated with maintaining detention bed access in coordination with the Linn County Juvenile Department.

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.

Comments (optional) The Lease Agreement Extension document will be attached as soon as it is made available to the Juvenile Department.

If you have any questions, please call ext.6800

Department Approver MATT WETHERELL

Department Approval

Comments

Signature

Matt Wetherell

BOC Initial Review

Approvals Required ☐ Counsel
☐ Finance
☐ HR

County Administrator Approver* JOE KERBY

Comments

INTERGOVERNMENTAL AGREEMENT
(Pursuant to Resolution & Order No. 2021-171)

THIS AGREEMENT is made and entered into by and between **LINN COUNTY**, acting by and through its Linn-Benton Juvenile Detention Facility, a department of Linn County Government (hereinafter referred to as "Linn"), a political subdivision of the State of Oregon, of P.O. Box 100, Albany, Oregon, 97321, and **BENTON COUNTY**, acting by and through its Benton County Juvenile Department, a department of Benton County Government (hereinafter referred to as "Benton"), a political subdivision of the State of Oregon.

BRIEF PROGRAM ABSTRACT: Placement of Benton County juveniles in the Linn-Benton Juvenile Detention Center.

WHEREAS, Benton County (Benton) requires the work and services described herein, and Linn agrees to perform all the work and services described herein, now, therefore, IT IS AGREED:

1. **Term of Intergovernmental Agreement.** This Agreement shall be effective and services required hereunder shall commence on July 1, 2021 and shall terminate on June 30, 2022, unless otherwise terminated or extended as provided herein.
2. **Consideration.** Benton shall pay Linn \$392,892.00 in four (4) equal payments of \$98,223.00 each within thirty (30) days of billing. Payments shall be made in September and December 2021, and March and May 2022. An additional rate of \$269.10 per detention bed per day shall apply as outlined in Section 4(a)(viii). Payment shall be made after submission by Linn of a satisfactory invoice to Benton demonstrating work performed by Linn to the satisfaction of Benton during the prior quarter.
3. **Definitions.**
 - a. "Benton juvenile" means a person who, as adjudicated as a juvenile and/or alleged to have committed a crime, under the age of 18 years of age, and for the purpose of this agreement, persons placed at the request of authorized personnel from Benton.
 - b. "Center" means the Linn-Benton Juvenile Detention Center.
 - c. "Center Capacity" means twenty (20) juveniles placed in the Center at any given time.
 - d. "Detention Day" means any 24-hour period of time after the Benton juvenile has been admitted to the Center.
4. **Linn Obligations.** Linn agrees to perform the services regarding the placement of Benton juvenile(s) in accordance with the following terms and conditions.
 - a. **Bed Space; Admissions; Conditions.**
 - i. Any Benton juvenile shall be admitted:

- (1) Upon placement by an authorized member of Benton or designee who meets the criteria as set forth in ORS 419C.145; or
 - (2) Upon order of any court of competent jurisdiction to require detention of such Benton juvenile.
- ii. Subject to Center regulations, Linn shall reserve for the exclusive use of Benton, on a continuous 24-hour-per-day-basis, at least four (4) bed spaces within the Center for Benton juveniles.
- iii. In the event there is a demand for bed space by Linn, Linn may require Benton to vacate any bed in excess of four (4) beds following a five-hour (5) notice.
- iv. In the event there is a demand for bed space by Benton, Benton may require Linn to vacate any bed in excess of sixteen (16) beds following a five-hour (5) notice.
- v. Linn shall have discretion to refuse to accept any Benton juvenile where it reasonably believes such placement does not comply with:
 - (1) Lawful requirements;
 - (2) Center regulations;
 - (3) When Benton's population exceeds four (4) beds; or
 - (4) When it appears that the physical condition of the Benton juvenile requires immediate medical attention.
- vi. In all situations of refusal, Linn shall immediately contact Benton by phone regarding basis for refusal.
- vii. Linn shall make every effort to serve Benton above the four beds when excessive bed space exists.
- viii. At the end of the 2021-2022 fiscal year, actual detention days used by Benton will be calculated as follows:
 - (1) If Benton's use exceeds 1,460 detention days, Linn shall bill Benton at the rate of \$269.10 per bed per day.
 - (2) If Linn uses more than 5,840 detention days, Benton may request reimbursement either in the form of a check or in the form of a credit toward the 2022-2023 intergovernmental agreement based on the 2021-2022 daily rate.

b. Supervision Services:

- i. Benton juveniles shall receive the quality, level and manner of care and supervision by Linn as furnished to detained juveniles from within Linn County.
- ii. Linn shall assign a detention staff person to each Benton juvenile as a liaison to track progress of youths toward disposition of the Benton juvenile, to implement such arrangements as may be required to facilitate expeditious release, and to coordinate planning for disposition.
- iii. No Linn staff person shall be required to provide those counseling services customarily furnished to Benton juveniles preparatory to any adjudicative or dispositional process.
- iv. The determination that emergency services need to be called or emergency action needs to be taken is the sole discretion of Linn. Linn shall provide Benton with immediate notice as soon as reasonably practicable after emergency services or action has been administered, and Benton shall be directly responsible for any expenses connected herewith.

- c. **Release Services:**
 - i. Linn shall release Benton juveniles only upon notification by persons authorized by Benton as pursuant to court order, and only to such person, persons, or agency as such notification or order may direct; provided, however, that Linn, upon written notice to Benton County Juvenile Department, may act to require release of any Benton juvenile it reasonably believes has been detained in excess of any statutory period prescribed for such temporary custody.
 - ii. No provision contained in this Agreement is intended to relieve Benton from the duty to monitor the period that a Benton juvenile is detained in Center under this Agreement, and it shall be the responsibility of Benton to defend and hold Linn harmless from any claim of detention in excess of lawful limits brought by or on behalf of any Benton juvenile.
- 5. **Benton Obligations.** Benton agrees to perform in accordance with the following terms and conditions:
 - a. Benton shall comply with ORS 419A.059.
 - b. Benton shall provide Linn current information as to the identities of persons authorized to place Benton juveniles as provided herein.
 - c. Benton shall provide transportation for all Benton juveniles to and from the Center at no expense to Linn.
 - d. Benton shall provide any required written evidence of authorization or other reports necessary to detain or release any Benton juvenile.
 - e. Benton shall be directly responsible for all expenses reasonably incurred by Linn providing emergency medical, dental or psychological services, including transportation therefore, on behalf of any Benton juvenile.
 - f. Benton shall upon prior notification by Linn, Benton shall be directly responsible for any expenses reasonably incurred in the care and supervision of a Benton juvenile which would exceed the level of care and supervision customarily furnished to detained Benton juveniles, including but not limited to, prescription medication, specially tailored clothing or custom footwear, prosthesis, remedial tutoring, eyeglasses, dentures, hearing aids, and similar devices.
 - g. Benton shall provide all pre- and post- adjudicative counseling services for Benton juveniles placed with Linn for detention and such notification as may be required to any Benton juveniles' parents or legal guardians prior to placement with Linn.
 - h. Benton shall furnish immediately to Linn, in writing, judicial orders of placement, social history, visitation restrictions, and specialized programming which would affect detention care and supervision of a Benton juvenile.
 - i. Benton shall upon request by Linn, Benton shall reduce the population of Benton juveniles in excess of four (4) beds, if Linn capacity is exceeded.
 - j. Benton shall participate in a yearly administrative planning and review of the Center for the purpose of maintaining sound practice and procedure by March 30, 2022.
- 6. **Declaration of the nature of the contractual relationship.** Benton and Linn are independent contractors and not employees of or agents of each other. Neither party shall be responsible for any claims, demands or causes of action of any kind or character arising in favor of any person, on account of personal injuries, or death, or damage to property occurring, growing out of, incident to, or resulting directly or indirectly from the operations or activities of the other party.
- 7. **Representations and Warranties.**
 - a. **Linn Representations and Warranties.** Linn represents and warrants to Benton that:
 - i. Linn is a unit of local government duly organized and validly existing under the laws and jurisdiction of the State of Oregon. Linn has the power and authority to enter into and perform this Agreement pursuant to ORS 190.003 to 190.130;

- ii. The making and performance by Linn of this Agreement: (a) has been duly authorized by all necessary action of Linn; (b) does not and will not violate any provision of any applicable law, rule, regulation, or order of any court, regulatory commission, board, or other administrative agency or any Linn ordinance or other organizational document; and (c) does not and will not result in the breach of, or constitute a default or require any consent under any other agreement or instrument to which Linn is party or by which Linn may be bound or affected. No authorization, consent, license, approval of, or filing or registration with or notification to any governmental body or regulatory or supervisory authority is required for the execution, delivery or performance by Linn of this Agreement, other than those that have already been obtained;
 - iii. This Agreement has been duly executed and delivered by Linn and constitutes a legal, valid and binding obligation of Linn enforceable in accordance with its terms;
 - iv. Linn has the skill and knowledge possessed by well-informed members of the industry, trade or profession most closely involved in providing the services under this Agreement, and Linn will apply that skill and knowledge with care and diligence to perform its obligations under this Agreement in a professional manner and in accordance with the highest standards prevalent in the related industry, trade, or profession; and
 - v. Linn shall, at all times during the term of this Agreement, be qualified, professionally competent, and duly licensed to perform its obligations under this Agreement.
- b. **Benton Representations and Warranties.** Benton represents and warrants to Linn that:
- i. Benton is a unit of local government duly organized and validly existing under the laws and jurisdiction of the State of Oregon. Benton has the power and authority to enter into and perform this Agreement pursuant to ORS 190.003 to 190.130;
 - ii. The making and performance by Benton of this Agreement: (a) has been duly authorized by all necessary action of Benton; (b) does not and will not violate any provision of any applicable law, rule, regulation, or order of any court, regulatory commission, board, or other administrative agency; and (c) does not and will not result in the breach of, or constitute a default or require any consent under any other agreement or instrument to which Benton is party or by which Benton may be bound or affected. No authorization, consent, license, approval of, or filing or registration with or notification to any governmental body or regulatory or supervisory authority is required for the execution, delivery or performance by Benton of this Agreement, other than those that have already been obtained; and
 - iii. This Agreement has been duly executed and delivered by Benton and constitutes a legal, valid and binding obligation of Benton enforceable in accordance with its terms.
8. **Amendments.** This Agreement may be amended to the extent permitted by applicable statutes, administrative rules, ordinances, and Linn County Code. No amendment shall bind either party unless in writing and signed by both parties.
9. **Insurance.**
- a. **Workers Compensation.** To the extent applicable, each party represents and warrants that it maintains and will maintain in full force and effect coverage sufficient to meet the requirements of Oregon workers' compensation law.
 - b. **General Liability.** To the extent applicable, each party represents and warrants that it maintains and will maintain in full force and effect liability insurance covering activities and operations described in this Agreement for the duration of the Agreement.
 - c. **Professional Liability.** To the extent applicable, each party shall obtain and at all times keep in effect professional liability insurance as required by law.

- 10. Indemnification.** To the fullest extent permitted by law, and in accordance with Article XI, Section 10, of the Oregon Constitution and the Oregon Tort Claims Act, each party shall indemnify, defend, save, and hold harmless the other party and its officers, employees and agents from and against all claims, suits, actions, liabilities, damages, losses, or expenses, arising out of the acts or omissions of the party, its officers, agents, or employees performing under this Agreement.
- 11. Compliance with Laws.** Each party agrees to comply with all federal, state, and local laws, codes, regulations, and ordinances applicable to the provision of services under this Agreement, including, without limitation, the provisions of ORS 279B.220 through 279B.235 and the provisions of: (i) Title VI of the Civil Rights Act of 1964; (ii) Section V of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 (Pub L No 101- 336), ORS 659.425, and all amendments of and regulations and administrative rules established pursuant to those laws; and (iv) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules, and regulations.
- 12. Termination.**
- a. For Convenience.** Either party may terminate this Agreement without specifying any reason for termination by giving written notice of intent to terminate, in writing, mailed at least thirty (30) days before the intended termination date to the party at the party's address given above. Such termination shall be without liability or penalty. No such termination shall prejudice any obligations or liabilities of either party already accrued prior to the effective date of termination.
 - b. For Cause.** It is further agreed that either party may immediately terminate this Agreement without liability or penalty for any of the following causes:
 - i. A party breaches any of the provisions of this Agreement and fails to remedy said breach within thirty (30) days of its receipt of written notice of the breach;
 - ii. A party lacks lawful funding, appropriations, limitations, or other expenditure authority at levels sufficient to allow either party to perform in accordance with the provisions of this Agreement; or
 - iii. Federal, state, or local laws, regulations, or guidelines are modified or interpreted in such a way that the services under this Agreement are thereafter prohibited.
 - c. Force Majeure.** Neither party to this Agreement shall be held responsible for delay or default caused by fire, riot, acts of God, and/or war, which is beyond the party's reasonable control. The affected party shall, however, make all reasonable efforts to remove or eliminate such a cause of delay or default and shall, upon cessation of the cause, diligently pursue performance of its obligations under this Agreement. Either party may terminate this Agreement upon written notice after determining such delay or default will reasonably prevent successful performance of this Agreement.
- 13. Waiver.** The failure of either party to enforce any provision of this agreement shall not constitute a waiver by that party of that or any other provision of this agreement, or the waiver by that party of the ability to enforce that or any other provision in the event of any subsequent breach.
- 14. Records Maintenance; Access.** Both parties shall maintain all fiscal records relating to this Agreement in accordance with generally accepted accounting principles. In addition, both parties shall maintain any other records pertinent to this Agreement in such a manner as to clearly document both parties' performance hereunder. Parties acknowledge and agrees that Linn, the Oregon Secretary of State's Office, the Federal Government and their duly authorized representatives shall have access to such fiscal records and all other documents that are pertinent to this Agreement for the purpose of performing audits and examinations and making copies, transcripts and excerpts. All such fiscal records and documents shall be retained by parties for a minimum of six (6) years (except as required longer by law) following final payment and termination of this Agreement, or until the conclusion of any audit, controversy, or litigation arising out of or related to this Agreement, whichever date is later.

- 15. Assignment; Delegation; Successors.** Neither party shall assign, delegate, nor transfer any of its rights or obligations under this Agreement without the other party's prior written consent. A party's written consent does not relieve the other party of any obligations under this Agreement, and any assignee, transferee, or delegate is considered the agent of that party. The provisions of this Agreement shall be binding upon and shall inure to the benefit of the parties to the Agreement and their respective successors and assigns.
- 16. Severability.** If any provision of this Agreement shall be held invalid or unenforceable by any court or tribunal of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision, and the obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.
- 17. Entire Agreement.** This Agreement constitutes the entire agreement between the parties on the subject matter hereof. No waiver, consent, modification or change of terms or provisions of this Agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification, or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement.
- 18. Governing Law, Jurisdiction, Venue, & Attorney Fees.** This Agreement shall be governed and construed in accordance with the laws of the State of Oregon, without resort to any jurisdiction's conflict of laws rules or doctrines. Any claim, action, suit, or proceeding (collectively, "the claim") between Linn (and/or any other agency or department of Linn County) and Benton that arises from or relates to this Agreement shall be brought and conducted solely and exclusively within the Circuit Court of Linn County for the State of Oregon. Provided, however, if the claim must be brought in a federal forum, then it shall be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. Each party hereby consents to the in personam jurisdiction of said courts. Each party shall at all times be responsible for the party's attorney fees, costs, and disbursements in regards to the claim, including any appeals.
- 19. Notices.** Any notice or other communication required or permitted to be given under this Agreement shall be in writing and shall be mailed by certified mail, return receipt requested, postage prepaid, addressed to the parties at the addresses first set forth below. Any notice or other communication shall be deemed to be given at the expiration of forty-eight (48) hours after the deposit in the United States mail. The addresses to which notices or other communications shall be mailed may be changed from time to time by giving written notice to the other party as provided in this section.

a. Linn Contact Information

Torri Lynn, Director
Linn County Juvenile Department
P.O. Box 100
Albany, OR 97321
(541) 967-3853
tlynn@co.linn.or.us

b. Benton Contact Information

Matt Wetherell, Director
Benton County Juvenile Department
4077 SW Research Way
Corvallis, OR 97333
(541) 766-6064

20. **Counterparts.** This Agreement and any subsequent amendments may be executed in any number of counterparts (including by facsimile, PDF, or other electronic transmission), each of which so executed shall be deemed to be an original, and such counterparts shall together constitute one agreement binding on all parties.
21. **Survival.** All rights and obligations shall cease upon termination of this agreement, except for those rights and obligations that by their nature or express terms survive termination of this agreement. Termination shall not prejudice any rights or obligations accrued to the parties prior to termination.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in duplicate by the duly authorized persons whose signature appear below. Each party, by the signature below of its authorized representative, hereby acknowledges that it has read this Agreement, understands it, and agrees to be bound by its terms and conditions. Each person signing this Agreement represents and warrants to have the authority to execute this agreement

BENTON COUNTY BOARD OF COMMISSIONERS

Xanthippe Augerot, Chair

Nancy Wyse, Commissioner

Pat Malone, Commissioner

September 7, 2021
Date

LINN COUNTY BOARD OF COMMISSIONERS

Roger Nyquist, Chairman

Sherrie Sprenger, Commissioner

William C. Tucker, Commissioner

6-15-2021
Date

APPROVED AS TO CONTENT:

Matt Wetherell, Director
Benton County Juvenile Department

APPROVED AS TO FORM:

Vance M. Croney
Benton County Counsel

APPROVED AS TO CONTENT:

Torri Lynn, Director
Linn County Juvenile Department

APPROVED AS TO FORM:

Jodi Gollehon
Deputy County Attorney for Linn County

1
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4
5
6
7 BEFORE THE BOARD OF COUNTY COMMISSIONERS
8 FOR LINN COUNTY
9

10 IN THE MATTER OF AMENDMENT No. 8 TO
11 AN INTERGOVERNMENTAL AGREEMENT
12 (AGREEMENT No. 5264h) FOR THE OAK
13 CREEK YOUTH CORRECTIONAL FACILITY
BETWEEN THE STATE OF OREGON,
OREGON YOUTH AUTHORITY (OYA) AND
LINN COUNTY AND DELEGATING
AUTHORITY TO EXECUTE ORIGINALS

RESOLUTION &
ORDER NO. 2021-337
(Amending 2001-601)

14 COMES NOW, Torri Lynn, Linn County Juvenile Detention Director, in a regularly scheduled and
15 duly advertised meeting on _____, 2021, and respectfully requests that the Board of
16 County Commissioners for Linn County (Board) approve an amendment (Linn County Resolution & Order
17 No. 2009-150, 2007-851, 2007-539, 2006-280, 2005-379, 2003-463, 2003-240 and 2001-601) to an
18 intergovernmental agreement in the form found in Exhibit 1, attached hereto; and

19 WHEREAS, The Board having reviewed amendment No. 8, and being fully advised by staff, and
20 finding that pursuant to ORS 279A.025(2), and Linn County Public Contracting Rule 137-046-0130 (4)
21 ("Exemptions, contracts with other public agencies") said agreement is excluded from the Public Contracting
22 Code and Linn County Public Contracting Rules; now, therefore, be it

23 *RESOLVED*, That amendment No. 8 as set forth in Exhibit 1 with the State of Oregon, Oregon Youth
24 Authority be approved; and

25 *ORDERED*, That duplicate originals conforming to Exhibit 1 be executed this day, and that Roger
26 Nyquist, Chairman, be and hereby is delegated authority to execute the originals bearing this resolution and
27 order number, and that fully-executed originals be distributed as follows:



- (1) two originals to Torri Lynn for signatures; with
(2) one original to be returned to the Linn County Board of Commissioners for filing.
Resolved this _____ day of _____, 2021.

BOARD OF COUNTY COMMISSIONERS
FOR LINN COUNTY

AYE

NO

Roger Nyquist, Chairman

Sherrie Sprenger, Commissioner

William C. Tucker, Commissioner

Approved as to Content:

Torri Lynn
Linn County Juvenile Detention Director

APPROVED AS TO FORM:

Deputy/County Attorney for Linn County



In compliance with the Americans with Disabilities Act, this document is available in alternate formats such as Braille, large print, audio tape, oral presentation, and computer disk. To request an alternate format call the State of Oregon, Oregon Youth Authority, Procurement Unit, at 503-373-7371.

**AMENDMENT TO
INTERGOVERNMENTAL AGREEMENT
Linn-Benton Detention Unit at Oak Creek**



Agreement #5264h

1. This is Amendment No. 8 to Agreement #5264 dated March 15, 2003, between the State of Oregon, acting by and through its **Oregon Youth Authority** ("Agency" or "OYA"), and **Linn County Board of Commissioners** ("Linn County") and **Benton County Board of Commissioners** ("Benton County"), each a "Party" and, together, the "Parties."
2. **Recital.** Agency has been working on creating a new Agreement that will modernize, simply and supersede this current Agreement #5264. In order to allow necessary drafting and review time, the Parties wish to amend this Agreement for an additional nine (9) month term.
3. The Agreement is hereby amended as follows effective October 1, 2021: New Language is indicated by **bolding and underlining** and deleted language is indicated by ~~bolding and striking~~ unless a section is replaced in its entirety:
 - a. Amend Agreement document, Section 3, titled Article III – Term and Early Termination, Subsection 3.1 only, as follows:

3.1. **Term.** This agreement shall become effective on the later of (1) March 15, 2003, or (ii) the date this agreement has been signed by every party hereto and when all necessary approvals have been obtained. Unless terminated or extended, this agreement shall expire on ~~September 30, 2021~~ **June 30, 2022** ("Expiration Date"). This agreement is subject to termination prior to the Expiration Date under the circumstances described in Sections 3.2, 3.3, 3.4, 3.5, 6, 4, 11.1 and 12.2.
3. Except as expressly amended above, all other terms and conditions of the Agreement are still in full force and effect. Local Government certifies that the representations, warranties, and certifications contained in the Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.

The Parties, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

LOCAL GOVERNMENT: Linn County

By: _____ Date: _____

A large, bold, black stamp that says "COPY" with a small icon of a document with a checkmark to its left.

Print Name and Title: _____

Signatures Continued on Next Page

Exhibit 1

LOCAL GOVERNMENT: Benton County

By: _____ Date: _____

Print Name and Title: _____

AGENCY: State of Oregon, acting by and through its Oregon Youth Authority

By: _____ Date: _____

Amber Forster, Designated Procurement Officer/Chief Financial Officer

ATTORNEY GENERAL: Approved for legal sufficiency

By: Exempt per OAR 137-045-0050 Date: _____

Name: _____

AGREEMENT ADMINISTRATOR: Reviewed and approved

By: _____ Date: _____

Name: Clint McClellan, Assistant Director of Facility Services

PROCUREMENT UNIT: Reviewed by Contract Specialist

By: _____ Date: _____

Name: Susanna Ramus

**AMENDMENT TO
INTERGOVERNMENTAL AGREEMENT
Linn-Benton Detention Unit at Oak Creek**



Agreement #5264h

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3. Except as expressly amended above, all other terms and conditions of the Agreement are still in full force and effect. Local Government certifies that the representations, warranties, and certifications contained in the Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.

The Parties, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

LOCAL GOVERNMENT: Linn County

By: _____ Date: _____

Print Name and Title: _____

Signatures Continued on Next Page

LOCAL GOVERNMENT: Benton County

By: _____ Date: _____

Print Name and Title: _____

AGENCY: State of Oregon, acting by and through its Oregon Youth Authority

By: _____ Date: _____
Amber Forster, Designated Procurement Officer/Chief Financial Officer

ATTORNEY GENERAL: Approved for legal sufficiency

By: Exempt per OAR 137-045-0050 _____ Date: _____
Name: _____

AGREEMENT ADMINISTRATOR: Reviewed and approved

By: _____ Date: _____
Name: Clint McClellan, Assistant Director of Facility Services

PROCUREMENT UNIT: Reviewed by Contract Specialist

By: _____ Date: _____
Name: Susanna Ramus

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

In the Matter of Appointment to the) ORDER No. D2021-068
WILLAMETTE CRIMINAL JUSTICE COUNCIL)

THE ABOVE ENTITLED MATTER COMING NOW FOR THE CONSIDERATION
OF THE BOARD AND,

IT APPEARING TO THE BOARD

THAT the following qualified and knowledgeable individual has indicated a willingness
to serve on this council:

<u>Name</u>	<u>Appointed & Position</u>
Leslie Soriano	Appointed: 09/21/21 Position: Benton County Citizen Representative

NOW, THEREFORE, IT IS HEREBY ORDERED that the above individual is hereby
appointed to the Willamette Criminal Justice Council.

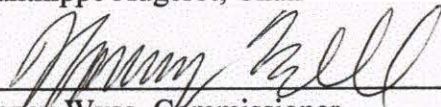
Adopted this 21st day of September, 2021.

Signed this 21st day of September, 2021.

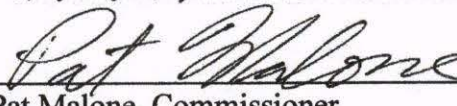
BENTON COUNTY BOARD OF COMMISSIONERS

EXCUSED

Xanthippe Augerot, Chair



Nancy Wyse, Commissioner



Pat Malone, Commissioner

BOC Agenda Checklist Master

PH 1

Agenda Placement and Contacts

Suggested Agenda Date 09/21/21

[View Agenda Tracker](#)

Suggested Placement* Tuesday Board Meeting

Department* Finance

Contact Name* Jenn Ambuehl

Phone Extension* 6257

Meeting Attendee Name* Jenn Ambuehl

Agenda Item Details

Item Title* Supplemental Budget 22031

Item Involves* Check all that apply

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

Estimated Time* 15

Board/Committee Involvement* ☐ Yes ☒ No

Advertisement *

☒ Yes

☐ No

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.

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues * Five funds require amendment of the budget in the 2021-23 biennium.

Please see attached PDF for list of actions.

Options *

1. Approve as proposed
2. Modify and approve
3. Hold for further discussion
4. Do not approved

Fiscal Impact *

☒ Yes
☐ No

Fiscal Impact Description *

The total of the actions increase appropriations by \$1,821,934.

Please see attached PDF for fiscal impact on each fund.

2040 Thriving Communities Initiative

**Mandated
Service? ***

- ☒ Yes
☐ No

2040 Thriving Communities Initiative

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

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

**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], 294.471 and 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 *

Recommendations and Motions

Item Recommendations and Motions

Staff Financial Services staff recommends approval of Supplemental Budget 22031 as
Recommendations * presented.

Meeting Motions * I move to ...
I move to adopt Resolution #R2021-024 in the matter of Supplemental Budget
22031

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.

Supplemental Budget 22031.pdf	878.62KB
Resolution Supplemental Budget - 22031.docx	19.47KB

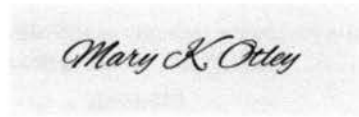
Comments (optional) If you have any questions, please call ext.6800

Department MARY OTLEY
Approver

Department Approval

Comments

Signature

A rectangular box containing a handwritten signature in cursive script that reads "Mary K. Otley". The signature is written in dark ink on a light-colored, slightly textured background.

BOC Initial Approval

Approvals Required ☐ Counsel
☐ Finance
☐ HR

County Administrator Approver
JOE KERBY

Comments

County Administrator Approval

Comments

Signature



Joseph Kerby

BOC Final Approval

Comments

Signature

Teresa Farley

**In the Matter of Supplemental)
Number 22031 Amending) RESOLUTION #R2021-024
the 2021-23 Biennium Budget)**

Supplemental Budget Resolution 22031

General Fund: Net appropriation increase \$693,207

- **General Government Operations** – increase \$561,500
 - Funding Source – COVID Equity Funds
 - Increase appropriations for:
 - Anticipated Personnel costs, vaccination incentives, various materials and services, and the purchase of a mobile vaccination van.
- **Natural Area, Parks & Events Operations** – increase \$121,600
 - Funding Source – Transfer from Fair Fund
 - Increase appropriations for:
 - Temporary staff and benefit costs that were unintentionally budgeted under Fairground Operations rather than Parks Maintenance in General Fund
- **Contingency** – increase \$10,107
 - Funding source: Increased revenue from Oregon Judicial Department
 - Increase appropriations to:
 - Offset increased revenue in the Law Library

Fair Fund: Reclassification of appropriation authority – net \$0

- **Cultural & Education Operations** – decrease \$121,600
 - Decrease appropriations for:
 - Personal Services and create Transfer authority
- **Transfers** – increase \$121,600
 - Increase appropriations to:
 - Transfer appropriation authority for Temporary staff and benefit costs that were unintentionally budgeted under Fairground Operations rather than Parks Maintenance in General Fund

Special Grant Fund: Net appropriation increase \$1,100,000

- **Community Services Operations** – increase \$1,100,000
 - Funding Source – Community Development Block Grants
 - Childcare
 - Food Bank
 - Housing Assistance
 - Increase appropriations for:
 - Pass through contracts to outside agencies per agreements

Court Security Fund: Net appropriation increase \$19,984

- **Justice Services Operations** – increase \$19,984
 - Funding source: Increased revenue from Oregon Judicial Department
 - increase appropriations for:
 - Contracted Services – Court Security

Trust Fund: Net appropriation increase \$8,743

- **Justice Services Operations** – increase \$8,743
 - Funding source: Increased revenue from Oregon Judicial Department
 - Increase appropriations for:
 - Professional Services

COUNTY BUDGET

NET APPROPRIATION INCREASE: \$1,821,934

- Operations – \$1,690,227
- Transfers – \$121,600
- Contingency – \$10,107

001 General Fund

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
50 - Natural Areas, Parks & Events				
Transfer from Fund 106	001-50-50-812-403013-	-	121,600	121,600
Transfer Revenue Category Totals		-	121,600	121,600
Resource Totals		-	121,600	121,600
Temporary & Interns	001-50-50-812-590000-	-	90,000	90,000
Employee Benefits	001-50-50-812-599000-	-	31,600	31,600
Personal Services Category Totals		-	121,600	121,600
Requirement Totals		-	121,600	121,600
Total Division 50 Resources		730,851	121,600	852,451
Total Division 50 Requirements		4,599,553	121,600	4,721,153

Comments:

During budget process all of NAPE temporary staff were unintentionally budgeted under Fairgrounds operations. Increases temporary staff and benefit costs and creates transfer from the Fair fund for movement of budget authority to the Parks Maintenance cost center.

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
60 - Non Departmental				
State: COVID	001-60-10-105-472421-	-	288,500	288,500
Operating Grants/Contributions Category Totals		-	288,500	288,500
Restricted Beginning Balance	001-60-10-105-401200-	-	273,000	273,000
Restricted Balance Category Totals		-	273,000	273,000
Resource Totals		-	561,500	561,500
FEMA Related Personnel	001-60-10-105-589100-	-	100,000	100,000
Employee Benefits	001-60-10-105-599000-	-	25,000	25,000
Personal Services Category Totals		-	125,000	125,000
Materials & Supplies	001-60-10-105-601000-	-	125,000	125,000
Incentives	001-60-10-105-601003-	-	50,000	50,000
Contracted Services	001-60-10-105-606000-	-	125,000	125,000
Printing & Publication	001-60-10-105-614000-	-	11,500	11,500
Materials & Services Category Totals		-	311,500	311,500
Vehicle & Heavy Equipment	001-60-10-105-782000-	-	125,000	125,000
Capital Outlay Category Totals		-	125,000	125,000
Requirement Totals		-	561,500	561,500
Total Division 60 Resources		85,755,286	561,500	86,316,786
Total Division 60 Requirements		26,699,110	561,500	27,260,610

Comments:

After budget adoption County received additional FEMA vaccination funding through Oregon Health Authority. Establish restricted beginning balance and funding account. Created appropriation authority under Personal Services, Materials & Services Category, and Capital Outlay categories.

001 General Fund

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
72 - County Counsel				
State: Law Library	001-72-30-713-474150-	92,632	10,107	102,739
Operating Grants/Contributions Category Totals		92,632	10,107	102,739
Resource Totals		92,632	10,107	102,739
Contingency	001-72-30-713-955000-	53,084	10,107	63,191
Contingency Category Totals		53,084	10,107	63,191
Requirement Totals		53,084	10,107	63,191
Total Division 72 Resources		873,789	10,107	883,896
Total Division 72 Requirements		873,789	10,107	883,896

Comments:

Received notification that revenue will be higher than anticipated at time of budget adoption. Increased Contingency.

106 Fair Fund

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
50 - Natural Areas, Parks & Events				
Temporary & Interns	106-50-40-750-590000-	90,000	(90,000)	-
Benefits	106-50-40-750-599000-	34,600	(31,600)	3,000
Personal Services Category Totals		124,600	(121,600)	3,000
Transfer to General Fund	106-50-40-750-816020-	-	121,600	121,600
Transfer Expense Category Totals		-	121,600	121,600
Requirement Totals		124,600	-	124,600
Total Division 50 Requirements		2,721,821	-	2,721,821

Comments:

During budget process all of NAPE temporary staff were unintentionally budgeted under Fairgrounds operations. Reduces temporary staff and benefit costs and creates transfer to the GF for movement of budget authority to the Parks Maintenance cost center.

114 Special Grant Fund (formerly HUD Block Grant Fund)				
Division	Account Code	Adopted Budget	Supplemental	Revised Budget
60 - Non Departmental				
Federal: Direct Grants	114-60-35-744-412000-	-	250,000	250,000
Federal: Direct Grants	114-60-35-745-412000-	-	250,000	250,000
Federal: Direct Grants	114-60-35-746-412000-	-	600,000	600,000
Operating Grants/Contributions Category Totals		-	1,100,000	1,100,000
Resource Totals		-	1,100,000	1,100,000
Pass through Contracts	114-60-35-744-621000-	-	250,000	250,000
Pass through Contracts	114-60-35-745-621000-	-	250,000	250,000
Pass through Contracts	114-60-35-746-621000-	-	600,000	600,000
Materials & Services Category Totals		-	1,100,000	1,100,000
Requirement Totals		-	1,100,000	1,100,000
Total Division 60 Resources		214,000	1,100,000	1,314,000
Total Division 60 Requirements		214,000	1,100,000	1,314,000
<u>Comments:</u> Anticipated funding for Block Grants: Childcare, Food Bank & Housing assistance. Establish budget for anticipated revenue and appropriation authority to pass through funds per contracts.				

119 Court Security Fund				
Division	Account Code	Adopted Budget	Supplemental	Revised Budget
17 - Corrections				
State: Court Security	119-17-30-712-474170-	48,760	19,984	68,744
Operating Grants/Contributions Category Totals		48,760	19,984	68,744
Resource Totals		48,760	19,984	68,744
Contracted Services	119-17-30-712-606000-	113,577	19,984	133,561
Materials & Services Category Totals		113,577	19,984	133,561
Requirement Totals		113,577	19,984	133,561
Total Division 17 Resources		116,363	19,984	136,347
Total Division 17 Requirements		116,363	19,984	136,347
<u>Comments:</u> Received notification that revenue will be higher than anticipated at time of budget adoption. Increased appropriation in Materials & Services Category.				

805 Trust Fund

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
60 - Non Departmental				
State: Court Mediation	805-60-30-711-474160-	60,000	8,743	68,743
Operating Grants/Contributions Category Totals		60,000	8,743	68,743
Resource Totals		60,000	8,743	68,743
Professional Services	805-60-30-711-605000-	79,636	8,743	88,379
Materials & Services Category Totals		79,636	8,743	88,379
Requirement Totals		79,636	8,743	88,379
Total Division 60 Resources		291,830	8,743	300,573
Total Division 60 Requirements		291,830	8,743	300,573

Comments:

Received notification that revenue will be higher than anticipated at time of budget adoption. Increased appropriation in Materials & Services Category.

PH 2

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 09/21/21

[View Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Public Works

Contact Name * Gary Stockhoff and Vance Croney

Phone Extension * 6010 and 6661

Meeting Attendee Name * Vance Croney

Agenda Item Details

Item Title * Second Public Hearing in the Matter of Annexing Properties within the Dumbeck Lane Domestic Water Supply Special District into the North Albany County Service District

Item Involves * Check all that apply

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

Estimated Time * 20 minutes

Board/Committee Involvement *
☐ Yes
☒ No

Advertisement *

☒ Yes

☐ No

**Names/Dates of
Publications**

List each publication name and date
Legal Notice (attached) in the Gazette Times
and Democrat Herald on September 13,
2021

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

The Dumbeck Lane Domestic Water Supply Special District (Dumbeck Lane) approached Benton County and the City of Albany about taking over responsibility for the day-to-day operation and administration of the District. To enable the transfer to occur, the existing area within Dumbeck Lane would be annexed into the North Albany County Service District (NACSD). The Board of Directors for the Dumbeck Lane Domestic Water Supply Special District submitted a Resolution requesting annexation into the NACSD. On July 20, 2021, the Board of Commissioners (BOC) accepted that Resolution and held a Public Hearing on August 17, 2021, to consider annexation. At that hearing, pursuant to ORS 198.850(2), the Board found the proposed annexation to be consistent with the comprehensive plan of Benton County and not in conflict with any service agreement affecting NACSD. According, pursuant to ORS 198.810, the Board set September 21, 2021, as the date for the second public hearing on the annexation request.

The purpose of this Public Hearing is to allow electors within the Dumbeck Lane boundaries to file objections to the annexation request. Under ORS 198.810(2) and (3), an election on the annexation question must be held if not less than 15 percent of the electors or 100 electors, whichever is less, file objections at or during the public hearing. If there are not enough objections to trigger an election, the Board must approve the annexation request.

One note about the annexation proposal: The City of Albany supplies the water to NACSD water users. Pursuant to Benton County's IGA with Albany for this water service, the City of Albany has agreed to provide water to the annexed Dumbeck properties. An updated IGA reflecting that agreement will be presented to the Governing Body of the NACSD following this hearing.

Options *

- 1) If enough objections to the annexation are filed, decline to approve the Order and set a date for the vote on whether to annex the properties into the NACSD.
- 2) If there are not enough objections filed to require a vote on the annexation question, this Board is bound by statute to approve the Order annexing the property into the NACSD.

Fiscal Impact *

- ☒ Yes
☐ No

Fiscal Impact Description *

The District has paid \$377,000 toward an outstanding State Revolving Loan. . The loan is administered by Business Oregon. The remaining loan balance (approximately \$53,000) will be assigned to Benton County as part of the dissolution of the District. Once the transition of the District to the City of Albany is complete, any remaining cash on hand will be combined with County funds to pay off the balance. It is expected the remaining cash on-hand will be about \$30,000. The remainder of the loan will be assessed to the current Dumbeck Lane customers until the loan is retired. The monthly water invoices and payments will be administered by the City of Albany.

2040 Thriving Communities Initiative

Mandated Service? * ☒ Yes
☐ No

2040 Thriving Communities Initiative

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

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

Mandated Service Description * If this agenda checklist describes a mandated service or other function, please describe here.
Water to the subject properties must be maintained.

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 * This action will maintain water services for the affected properties to keep the area Vibrant and Livable, maintain the Community, and provide a Healthy water system for all.

Focus Areas and Vision * Select all that apply.

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

Explain Focus Areas and Vision Selection * This action will maintain water services for Housing units and safe use of our Natural Resources for this Community.

Recommendations and Motions

Item Recommendations and Motions

Staff
Recommendations * Staff recommends the BOC adopt the Order annexing the Dumbeck Lane Water Supply Special District into the North Albany County Service District.

Meeting Motions * I move to ...
I move to approve Order No. D2021-065 in the matter of annexing property within the Dumbeck Lane Domestic Water Supply Special District into the North Albany County Service District effective October 21, 2021.

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.

NACSD Dumbeck 2nd hearing formation

15.93KB

ORDER.docx

Comments (optional) The Order will need a number and the motion will need the number added to it.
Order will be emailed to staff.

If you have any questions, please call ext.6800

Department
Approver

GARY STOCKHOFF

Department Approval

Comments

Signature

Gary A. Stockhoff

BOC Initial Approval

Approvals Required ☒ Counsel

☐ Finance

☐ HR

Counsel Approver VANCE CRONEY

County Administrator Approver
JOE KERBY

Comments

Counsel Approval

Comments

Signature

Vance H. Cheney

County Administrator Approval

Comments

Signature



Joseph Kerby

BOC Final Approval

Comments

Signature



Teresa Farley

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

**In the Matter of Approving the Annexation)
of Property Within the Dumbeck Lane) ORDER No. D2021-065
Domestic Water Supply District into the)
North Albany County Service District)
Pursuant to ORS 198.850**

WHEREAS the Benton County Board of Commissioners held public hearings on August 17, 2021, at 11 a.m. and September 21, 2021, at 11:00 a.m. via GoToMeeting <https://global.gotomeeting.com/join/500478005> to consider the annexation of property within the Dumbeck Lane Domestic Water Supply District into the North Albany County Service District (NACSD) pursuant to ORS 198.850; and

WHEREAS, following the August 17, 2021 public hearing, the Board adopted Order No. D221-061, setting the boundaries of the NACSD to include the annexed property and reaffirming the name of the service district as the North Albany County Service District; and

WHEREAS, pursuant to ORS 198.810 and .850, the second public hearing was held on September. 21, 2021, to allow electors in the Dumbeck Lane District to file objections to the annexation request. There were insufficient objections filed to trigger an election on the annexation proposal; and

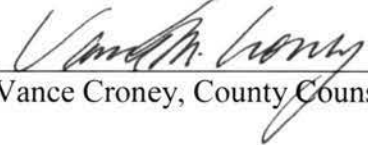
WHEREAS, it appearing to the Board of Commissioners that no election must be held on the annexation proposal, ORS 198.810 and .850 require the Board to approve the annexation request.

NOW, THEREFORE, the Benton County Board of Commissioners hereby approves annexation of the real property within the boundaries of the Dumbeck Lane Domestic Water Supply District into the North Albany County Service District.

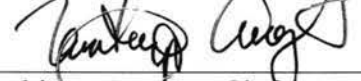
Adopted this 21st day of September, 2021.

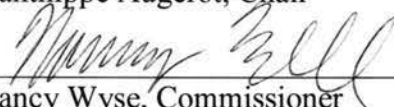
Signed this 21st day of September, 2021.

Approved as to Form:


Vance Croney, County Counsel

BENTON COUNTY BOARD OF COMMISSIONERS


Xanthippe Augerot, Chair


Nancy Wyse, Commissioner

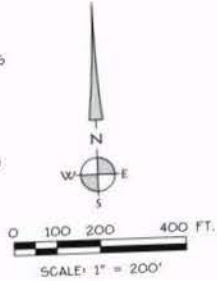

Pat Malone, Commissioner

CURVE DATA TABLE:

CURVE	RADIUS	LENGTH	CHORD
C1	345.0'	135.0'	N81°08'26"E 134.3'
C2	75.0'	62.2'	S83°52'25"E 60.5'
C3	14.0'	22.6'	S13°57'12"E 20.2'
C4	335.0'	174.3'	N16°51'19"E 177.2'
C5	5649.7'	1048.0'	S39°41'36"W 1096.4'

LEGEND:

- 300' CONTOURS / ELEVATIONS
- SECTION LINE
- 100 YEAR FLOODPLAIN
- WETLANDS AS SURVEYED



TENTATIVE PARTITION PLAT

FOR

RST WEIGEL LLC

LOCATED IN

TAX LOT 201 MAP 105-04W-32,
TAX LOT 205, MAP 105-04W-31

IN THE

CITY OF ADAIR VILLAGE, BENTON COUNTY, OREGON

MAY 18, 2021

APPLICANT:

DENNIS DERBY
1037 S SCALLOP DR
GILBERT, AZ 85233

OWNER:

RST WEIGEL LLC
16535 SE ANNA EVE DRIVE
MILWAUKIE, OR 97267

SURVEYOR:

K&D ENGINEERING, INC.
276 NW HICKORY ST.
ALBANY, OR 97321

NOTE:

DATA SHOWN ON THIS MAP IS
BASED ON BENTON COUNTY GIS
DATABASES, ASSESSOR RECORDS,
RECORD DEED INFORMATION.

PARTITION INFORMATION:

TAX LOT:

TAX LOT 205, MAP 105-4W-31

TAX LOT 201, MAP 105-4W-32

SITE ADDRESS:

ADDRESS UNASSIGNED

BENTON COUNTY ZONING:

EFU - EXCLUSIVE FARM USE

CITY OF ADAIR VILLAGE ZONING:

R-3 - RESIDENTIAL HIGH DENSITY

CURRENT USE:

VACANT - CULTIVATED GRASS

TOTAL PROJECT AREA (GROSS):

TAX LOT 205 = 45.11 ACRES

TAX LOT 201 = 5.28 ACRES

TOTAL AREA = 50.39 ACRES

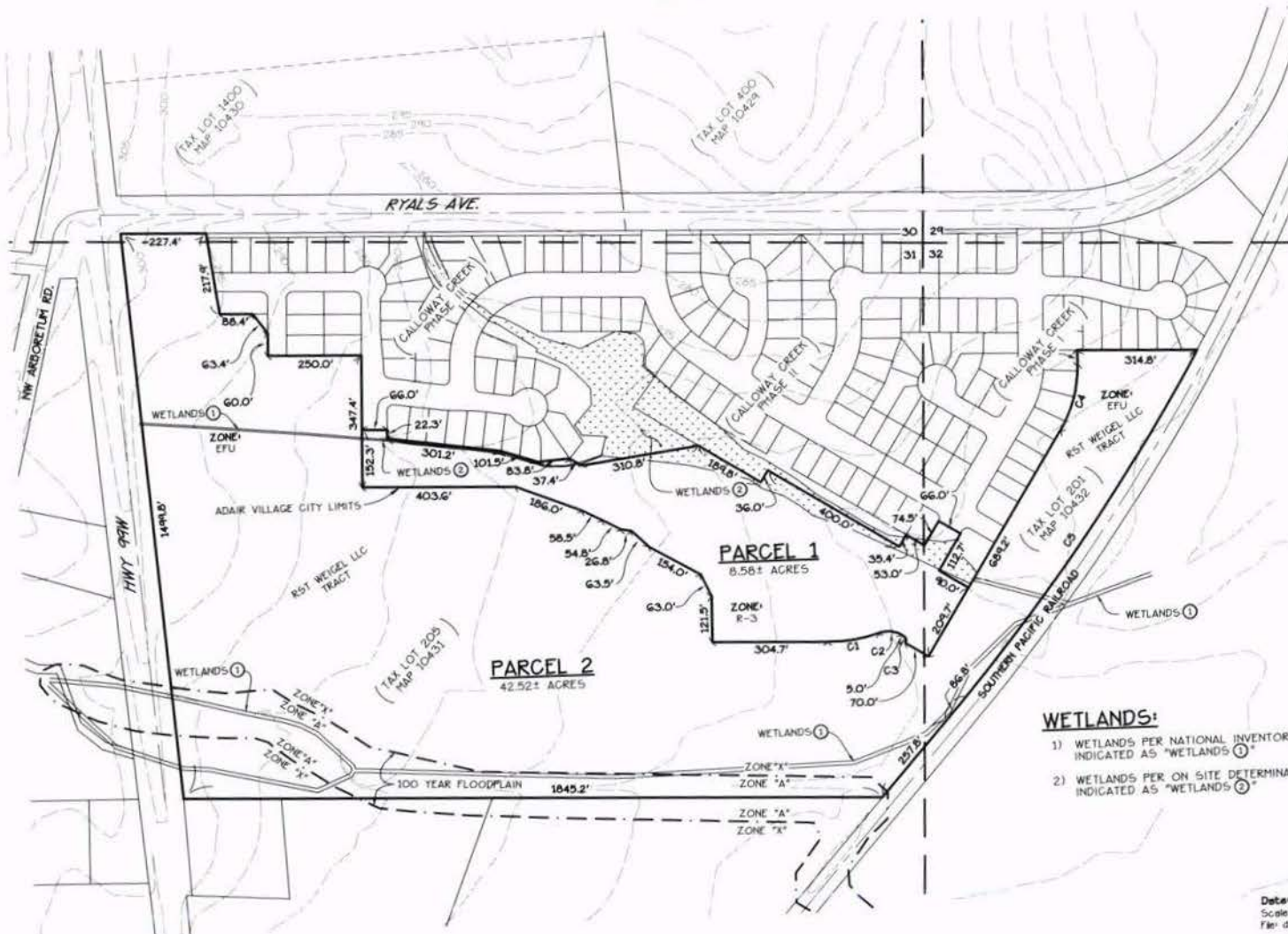
PER BENTON COUNTY ASSESSORS DATA

TOTAL NUMBER OF PARCELS:

2 PARCELS WILL BE CREATED OUT OF 1 PARCEL

FLOOD ZONE:

SUBJECT PROPERTY IS WITHIN A ZONE "A" AREA
PER FIRI (FLOOD INSURANCE RATE MAP) NO.
41003C0100F, DATED JUNE 2, 2011.



WETLANDS:

- 1) WETLANDS PER NATIONAL INVENTORY INDICATED AS "WETLANDS ①"
- 2) WETLANDS PER ON SITE DETERMINATION INDICATED AS "WETLANDS ②"

K&D K & D ENGINEERING, Inc.
276 NW Hickory Street, P.O. Box 125
Albany, Oregon 97321
(541) 928-1005

Date: 5/24/2021 Scale: 1"=100'
File: deg\2017\17-95-4\Partition\17-95k-tpp.dwg (George)

**NOTICE OF PUBLIC HEARING
FOR**

**Proposed Annexation
of the Dumbeck Lane Domestic Water Supply District
into the North Albany County Service District**

**Benton County Board of Commissioners Meeting
Tuesday, September 21, 2021, at 11:00 am**

Please join the meeting from your computer, tablet or smartphone

<https://global.gotomeeting.com/join/442720061>

You can also dial in using your phone.

United States: [1 \(571\) 317-3122](tel:15713173122)

Access Code: 442-720-061#

The Benton County Board of Commissioners will hold a second public hearing via GoToMeeting <https://global.gotomeeting.com/join/442720061> to consider a Resolution requesting annexation of the Dumbeck Lane Domestic Water Supply District into the North Albany County Service District. The Board of Commissioners will consider the annexation boundaries and the benefit the proposed annexation will have to said district, pursuant to ORS Chapter 198. The territory being considered for annexation is described as the boundaries of all the real property within the Dumbeck Lane Domestic Water Supply District. For a boundary description of the territory, contact the Benton County Public Works Office at 541-766-6821.

Community members may attend the meeting via GoToMeeting and a reasonable opportunity will be given for testimony. Written testimony should be sent or delivered to the Benton County Board of Commissioners, 205 NW 5th Street, Corvallis, Oregon 97330. To be considered at the hearing, written testimony must be received by the Board of Commissioners Office by 5:00 p.m., **Monday, September 20, 2021**, or must be submitted at the hearing. For further information, call the Benton County Board of Commissioners Office at 766-6800.

BOARD OF COMMISSIONERS

Xanthippe Augerot, Commissioner

Nancy Wyse, Commissioner

Patrick Malone, Commissioner

Published: Gazette Times and Albany Democrat Herald: September 13, 2021

BOC Agenda Checklist Master

2020-09-21 15:10:17

6.1

Agenda Placement and Contacts

Suggested Agenda Date 09/21/21

[View Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * County Counsel

Contact Name * Vance Croney

Phone Extension * 6890

Meeting Attendee Name * Vance Croney

Agenda Item Details



Item Title * Dissolving Dumbeck Lane Domestic Water Supply District

Item Involves * Check all that apply

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

Estimated Time * 10 minutes

Board/Committee Involvement *
☐ Yes
☒ No

Advertisement*

☐ Yes

☒ No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

On Sept. 14, 2021, the Dumbeck Lane Domestic Water Supply District (Dumbeck or District) Board of Commissioners voted to dissolve the District and adopted a resolution setting forth its dissolution and liquidation plan. Pursuant to ORS 198.920(1)(b), the District filed Resolution No. 22-03 with Benton County. Under ORS 198.940(1), Benton County may complete dissolution of the District, without a vote of the registered voters of the District, if it finds: (1) dissolution is in the best interests of the people of the county; and (2) the district has regularly failed to elect board members in accordance with the principal Act of the district.

This meeting is to determine whether each element of the findings are met.

It is in the public interest to dissolve Dumbeck. If the District cannot govern, for lack of board members, it could default on its loan obligations to Business Oregon. In addition, if the District becomes inoperable, under Oregon law, its obligations and responsibilities would shift to Benton County. Finally, without a functioning board, the District could face the suspension of water delivery services pursuant to its agreement with the City of Albany. That would leave more than 100 property owners without water.

Regarding the District's inability to elect members, resolution no. 22-03 recites this factor as a primary reason the Dumbeck Board voted to dissolve. County staff has been aware of the District's inability to recruit Board members for a number of years. It was this inability to fill its board seats that originally led the District to approach Benton County about a solution to that problem and how to govern the district in the face of disinterest by the residents within the district.

Dissolution of Dumbeck will result in the District's easements, water system, a physical structure and the water delivery obligations transferring to the City of Albany. As part of the dissolution, the properties within the District have been annexed into the North Albany County Service District (NACSD). The NACSD has an agreement with the City of Albany to provide water to properties within the NACSD. Upon annexation, the former Dumbeck properties will receive water as part of the service district. The net result is the users within the old Dumbeck district should see no change in water delivery, with only a slight change in water charges. Those changes will be made such that all water users inside the NACSD will pay the same water rates.

Dumbeck owes a balance on a loan it received from Business Oregon. The bulk of that loan has been paid off. Upon dissolution, the District will pay its final water delivery charges to Albany, pay for the cost of dissolution and remit all remaining funds to Benton County as required by ORS 198.955. Benton County will then pay the remaining small balance on the Business Oregon loan, estimated to be around \$20,000. The City of Albany will collect a \$19/month charge from the former Dumbeck property owners who still owe the loan repayment assessment, and remit that money to Benton County. Once Benton County has been repaid, the \$19/mo. charge will be dropped.

Options *

- 1) Adopt the order as presented; or
- 2) Adopt the order as presented with amendments; or
- 3) Decline to adopt the order

Fiscal Impact *

- ☒ Yes
☐ No

**Fiscal Impact
Description ***

There will be an initial capital outlay needed to pay the small Business Oregon loan balance. But, that expenditure will be reimbursed through the \$19 monthly fee charged to some Dumbeck users. Upon repayment of that loan payoff sum, the fiscal impact should become neutral

2040 Thriving Communities Initiative

Mandated
Service? *

- ☐ Yes
☒ No

2040 Thriving Communities Initiative

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

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

Values and Focus Areas

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

Core Values *

Select all that apply.

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

Explain Core Values Selections *

Will continue the delivery of domestic water to residences and agricultural uses in the county.

Focus Areas and Vision *

Select all that apply.

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

Explain Focus Areas and Vision Selection *

Ensures continued domestic water supply to more than 100 properties.

Recommendations and Motions

Item Recommendations and Motions

Staff Adopt order as presented
Recommendations *

Meeting Motions * I move to ...
I move to adopt Order No. D2021-066 dissolving the Dumbeck Lane Domestic
Water Supply District

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.

6.1 PW_Dumbeck Ln Dissolution ORDER.docx	19.84KB
6.1 PW_Dumbeck Ln Dissolution-Albany RESOLUTION.pdf	130.44KB

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

Department VANCE CRONEY

Approver

Department Approval

Comments

Signature

Vance H. Choney

BOC Initial Approval

Approvals Required ☐ Counsel
☐ Finance
☐ HR

County Administrator Approver JOE KERBY

Comments

County Administrator Approval

Comments

Signature



Joseph Kerby

BOC Final Approval

Comments

Signature



Teresa Farley

**In the Matter of Dissolving the Dumbeck)
Lane Domestic Water Supply District) ORDER No. D2021-066
Pursuant to ORS 198.940)**

1. Dissolution of Dumbeck will be contingent upon annexation of the real property within the District into the North Albany County Service District;
2. All outstanding indebtedness will be paid as follows:
 - a. Dumbeck will pay the costs of dissolution;
 - b. Dumbeck will pay down the Business Oregon loan to the extend its resources permit;
 - c. Any remaining funds remaining will be transferred to the Benton County Treasurer as required by law;
3. Dumbeck will collect amounts owed to the District for water service provided prior to dissolution;
4. The water system, easements and agreements will be transferred to the City of Albany;
5. The District failed regularly to elect board members in accordance with the principal Act of the district;
6. The District should be dissolved and liquidated pursuant to ORS 198.945; and

WHEREAS, Dumbeck has filed its resolution to dissolve and liquidate the District with the Benton County Board of Commissioners;

WHEREAS, the Benton County Board of Commissioners finds, based on its communications and history with the District, as well as the dissolution resolution adopted by Dumbeck, that the District has been unable to regularly elect board members in accordance with the principal Act of the district and it is now in the public interest to dissolve the District; and

WHEREAS, because the District has been unable to regularly elect board members, pursuant to ORS 198.940, no election is necessary to dissolve the District; and

WHEREAS, the Benton County Board of Commissioners also finds it is in the best interests of the residents within the Dumbeck boundaries, as well as the residents within the North Albany County Service District, for the County to pay the remaining balance of the Business Oregon loan on behalf of Dumbeck in order to retire the debt and eliminate the need to transfer the loan to Benton County; and

WHEREAS, the County's payment of the loan balance shall be recouped through service charges assessed by the City of Albany, and remitted to Benton County, on those properties within Dumbeck's boundaries that have not paid off the Business Oregon loan assessment; and

WHEREAS, the property within the Dumbeck boundaries has been annexed into the North Albany County Service District, which shall provide domestic water supply to the property owners of the annexed land; and

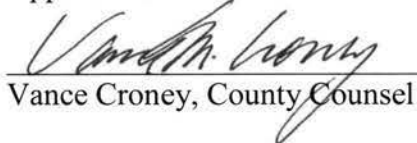
NOW, THEREFORE, the Benton County Board of Commissioners hereby orders:

1. Pursuant to ORS 198.940, the Dumbeck Lane Domestic Water Supply District is hereby dissolved without the need for an election; and
2. Upon payment of its water use fees and dissolution costs, Dumbeck shall remit all remaining cash and monies to Benton County pursuant to ORS 198.930; and
3. Benton County shall not accept Dumbeck water system, easements or agreements, which shall be conveyed to the City of Albany and become assets and obligations of Albany.

Adopted this 21st day of September, 2021.

Signed this 21st day of September, 2021.

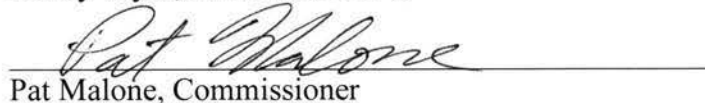
Approved as to Form:


Vance Croney, County Counsel

BENTON COUNTY BOARD OF COMMISSIONERS


Xanthippe Augerot, Chair


Nancy Wyse, Commissioner


Pat Malone, Commissioner

BOC Agenda Checklist Master

6.2

Agenda Placement and Contacts

Suggested Agenda Date 09/21/21

[View Agenda Tracker](#)

Suggested Placement* BOC Tuesday Meeting

Department* Public Works

Contact Name* Laurel Byer

Phone Extension* 6013

Meeting Attendee Name* Laurel Byer

Agenda Item Details



Item Title* Notice of Intent to Apply for FLAP Grant-South Fork Road Corridor

Item Involves* Check all that apply

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

Estimated Time* 15 minutes

Board/Committee Involvement*
☐ Yes
☒ No

Advertisement*

☐ Yes

☒ No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *	The Western Federal Lands Highway Division is now soliciting for capital improvements, enhancement, surface preservation, safety only, transit, planning, and research proposals to receive funds through the Oregon Federal Lands Access Program (FLAP) in Federal Fiscal Years 2024 and 2025. FLAP grants are funds that are to be specifically spent on local jurisdiction projects that help provide safe and adequate transportation access to and through Federal Lands for visitors, recreationists, and resource users. In 2016, the County, in coordination with the Oregon Cascades West Council of Governments (COG) and the Bureau of Land Management (BLM), applied for and received FLAP funding for the planning effort on the South Fork Road Corridor Plan. After a thorough public process, the South Fork Road Corridor Plan was finalized in January of 2021. Within the corridor plan, there is a prioritized list of projects located on both the BLM portion of the road and the County portion. South Fork Road is the major westerly access to the Alsea Falls Recreation Site and the Fall Creek Bike Trail Network, which are both located on BLM owned and managed property. Alpine Road and Alpine Cut-off Road serve as the easterly access points to these recreational areas. The BLM has received notice that they will get Federal Lands Transportation Program funding for upgrades and maintenance to their section of South Fork Road. The FLAP grant will enable the County to provide important surface preservation and sign upgrades to the County sections of South Fork Road, Alpine Road, and Alpine Cutoff Road, if awarded.
Options *	1) Approve the Notice of Intent for staff to apply for Federal Lands Access Program funds. 2) Do not approve.
Fiscal Impact *	☒ Yes ☐ No
Fiscal Impact Description *	A future 10.27% match will need to be provided for these projects by Benton County. If the County receives the grant, the matching funds will need to be available during Federal Fiscal Year 2024 or 2025. It is anticipated that the match would be satisfied through the road maintenance fund and it would be approximately \$308,100.

2040 Thriving Communities Initiative

Mandated Service? * ☒ Yes
☐ No

2040 Thriving Communities Initiative

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

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

Mandated Service Description * If this agenda checklist describes a mandated service or other function, please describe here.
Public Works is mandated to protect fire and life safety of the public that live, play, work, and travel in Benton County.

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 * The South Fork Road Corridor serves as the gateway to the Alsea Falls Recreation Site and the Fall Creek Bike Trail Network and it also serves as an important east-west emergency connection between the Alsea-Deadwood Highway and Highway 99W. The proposed surfacing and signage improvements not only help ensure that access is maintained to high quality outdoor recreation, but it also aids in emergency preparedness and resiliency. The proposed signage will also alert drivers to the presence of alternative modes in the corridor which directly relates to the health and safety of users.

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 and Vision Selection *	The South Fork Road Corridor serves as the gateway to the Alsea Falls Recreation Site and the Fall Creek Bike Trail Network and it also serves as an important east-west emergency connection between the Alsea-Deadwood Highway and Highway 99W. The proposed surfacing and signage improvements not only help ensure that access is maintained to high quality outdoor recreation, but it also aids in emergency preparedness and resiliency. The proposed signage will also alert drivers to the presence of alternative modes in the corridor which directly relates to the health and safety of users.
---	---

Recommendations and Motions

Item Recommendations and Motions

Staff	Staff respectfully recommends that the Board of Commissioners encourage and
Recommendations *	support staff in applying for funding for surface preservation and upgraded signage on the South Fork Road Corridor through the Federal Lands Access Program.
Meeting Motions *	I move to ...
	I move to approve the Notice of Intent to apply for funding through the Federal Lands Access Program for surface preservation and upgraded signage on Alpine Road, Alpine Cutoff Road, and South Fork Road in accordance with the South Fork Road Corridor Plan.

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.

NOI - FLAP Grant 092121.pdf

165.49KB

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

Department

GARY STOCKHOFF

Approver

Department Approval

Comments

Signature

Gary A Stockhoff

BOC Initial Approval

Approvals Required ☒ Counsel

☒ Finance

☐ HR

Counsel Approver VANCE CRONEY

Finance Approver MARY OTLEY

County
Administrator
Approver JOE KERBY

Comments

Counsel Approval

Comments

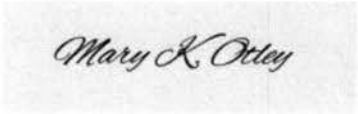
Signature

Vance H. Croney

Finance Approval

Comments

Signature



Mary K. Otley

County Administrator Approval

Comments

Signature



Joseph Kirby

BOC Final Approval

Comments

Signature

Teresa Farley

NOTICE OF INTENT

BENTON COUNTY

DATE: September 8, 2021
DEPARTMENT: Public Works
CONTACT: Laurel Byer
PHONE: 541-766 6013
TYPE OF NOTICE ☒ New Grant
☐ Supplement
☐ Renewal

GRANT DUE DATE: 10/07/2021

PROJECT TITLE: South Fork Road Improvements

GRANT DURATION: Federal Fiscal Years 2024 & 2025

STATEMENT OF POLICY:

The County Board of Commissioners must approve, prior to submission, all new, or renewals of all loans or grants sought from any public or private source. For further statement of policy see the grant administration policies in the current edition of the Budget Manual.

Board of Commissioner review will ensure objectives of proposed grant funded programs are consistent with county policies and those financial obligations, if any, imposed by the grant, now or in the future are accounted for in county financial planning.

If available, a complete copy of the grant application shall be attached to this form

GRANT SUMMARY/ABSTRACT:

The Western Federal Lands Highway Division is now soliciting for capital improvements, enhancement, surface preservation, safety only, transit, planning, and research proposals to receive funds through the Oregon Federal Lands Access Program (FLAP) in Federal Fiscal Years 2024 and 2025. In 2016, the County, in coordination with the Oregon Cascades West Council of Governments (COG) and the Bureau of Land Management (BLM), applied for and received FLAP funding for the planning effort on the South Fork Road Corridor Plan. After a thorough public process, the *South Fork Road Corridor Plan* was finalized in January of 2021. Within the corridor plan, there is a prioritized list of projects located on both the BLM portion of the road and the County portion. South Fork Road is the major westerly access to the Alsea Falls Recreation Site and the Fall Creek Bike Trail Network, which are both located on BLM owned and managed property. Alpine Road and Alpine Cut-off serve as the easterly access points to these recreational areas. The BLM has received notice that they will get Federal Lands Transportation Program funding for upgrades and maintenance to their section of South Fork Road. The FLAP grant will enable the County to provide important surface preservation and sign upgrades to the County sections of South Fork Road, Alpine Cutoff Road, and Alpine Road, if awarded.

COUNTY COMMITMENTS

STAFFING: NO ☐ YES ☒

If yes, Permanent ☒ Limited Duration ☐
Using existing staff

FINANCIAL: NO ☐ YES ☒ If yes, amount: \$308,100

The match will consist of dedicated road maintenance funding.


Laurel Byer, County Engineer

FINANCIAL SUMMARY*

FEDERAL SOURCES \$ 3,000,000

STATE SOURCES \$ 0

COUNTY SOURCES \$ 308,100

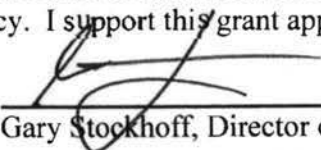
TOTAL REVENUE \$ 3,308,100

**PROJECT BUDGET ATTACHED*

9/8/2021
DATE

DEPARTMENT HEAD COMMENTS:

The grant provides funding assistance to the County for needed surface maintenance and sign upgrades along the South Fork Corridor which will improve safety and resiliency. I support this grant application.



Gary Stockhoff, Director of Public Works Date 8 Sept. 21

BUDGET OFFICE REVIEW & COMMENTS:

Budget Officer Signature Date

BOARD OF COMMISSIONERS:

Status: ☐ Approved without additional review
 ☐ Approved with additional information required by: Date: ____/____/____
 ☐ Disapproved

COMMENTS:



Signature Date 09/21/21
Vice Chair, Board of Commissioners

A final copy of the grant application must be submitted to the Board of Commissioners Office.

BOC Agenda Checklist Master

6.3

Agenda Placement and Contacts

Suggested Agenda Date 09/21/21

[View Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Health Services

Contact Name * Dannielle Brown Deputy Director Health Svcs, Tammy Webb, Sr. Human Resource Analyst

Phone Extension * 6620, 6802

Meeting Attendee Name * Dannielle Brown Deputy Director Health Svcs, Tammy Webb, Sr. Human Resource Analyst

Agenda Item Details



Item Title * Establishment of New Position

Item Involves * Check all that apply

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

Estimated Time * 5 minutes

Board/Committee Involvement *
☐ Yes
☒ No

Advertisement*

- ☐ Yes
- ☒ No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues* Health prepared a position request to add 1 position. This will be a new position. This position was discussed with and reviewed by Human Resources, Budget and the Position Review Committee prior to coming before the Board with the request.

The position requested is:

1.0 Regular FTE - Client Services Representative– Administrative Assistant -A13

Options* 1) Request the department to provide additional information and return for discussion.
2) Approve or deny the increase of 1.0 FTE

Fiscal Impact* ☒ Yes
☐ No

Fiscal Impact Description* See Attached

2040 Thriving Communities Initiative

**Mandated
Service? ***

- ☐ Yes
☒ No

2040 Thriving Communities Initiative

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

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

Values and Focus Areas

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

Core Values *

Select all that apply.

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

Explain Core Values - Selections *

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 *

Recommendations and Motions

Item Recommendations and Motions

Staff Staff and the Position Review Committee recommend the approval of this position.
Recommendations*

Meeting Motions* I move to ...
I move to approve the establishment of a 1.0 Regular position, Client Services Representative.

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.

8-26-21 Childrens CSR Position Request.pdf	248.44KB
CSR PD.pdf	168.9KB

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

Department
Approver

DANIELLE BROWN

Department Approval

Comments

Signature

Dannielle Brown

BOC Initial Approval

Approvals Required ☐ Counsel

☒ Finance

☒ HR

HR Approver TRACY MARTINEAU

Finance Approver MARY OTLEY

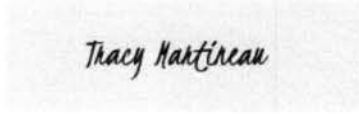
County
Administrator
Approver JOE KERBY

Comments

HR Approval

Comments

Signature

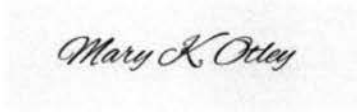


Tracy Martineau

Finance Approval

Comments

Signature



Mary K. Otley

County Administrator Approval

Comments

This agenda item refers to fiscal impacts but does not identify them. Please resubmit first thing Monday morning showing the fiscal impacts of salary and benefits.

Signature



Joseph Kerby

BOC Final Approval

Comments

Signature

Teresa Farley

BENTON COUNTY POSITION DESCRIPTION

CLASSIFICATION	BAND	GRADE	SUBGRADE	FLSA STATUS
Administrative Assistant	A	1	3	Non-Exempt
POSITION TITLE:	Client Services Representative	POSITION#:		
☐ New ☒ Revised	Date:	3-3-2014		
SERVICE TYPE:	AFSCME			
Employee Name:		Department:	Health Center	Supervisor: LaNoi Case
FTE: 1.0	Employment Status:		Regular Full Time	

Position Summary:

This position supports the various programs of Benton County Health by providing excellent, courteous, positive customer service to a widely diverse community/client base externally and internally by phone and in person. The environment is fast paced and ever changing. This position is required to cover at various locations throughout the Benton Health Service system.

Essential Duties:

No.	Major Functional Area (MFA)	% of Time
1	MFA: Reception and Office Support Essential Duties: - Using excellent customer service; greet, educate and instruct clients over the admissions/services process. Check clients in for scheduled appointments. Respond to walk-in requests for information and/or scheduling. - Assist clients in completing forms as needed. Insure client forms are filled out completely by client or representative. Enter client information into multiple data bases. Verify and update client information as needed. - Schedule clients in a complex computerized scheduling system. Manage clinical scheduling and rescheduling of appointments as indicated. - Complete appointment reminder calls. - Initiate records release requests from other provider offices to help facilitate the ongoing care for new clients. - Answer multi-line phones and determine the priority and action to take for in-coming calls (schedule appointments or forward to the appropriate staff member). - Link clients to services follow Health Services procedures. - Use Bi-lingual skills when needed. - Forward requests for medical records to the medical records office for processing and billing issues to the billing staff for resolution. - Process and distribute mail as appropriate. - Monitor reception area to assist in clinic flow and maintain a clean and safe environment.	50%

2	MFA: Cash Handling/Financial/Insurance Essential Duties: • Verify proof of insurance and coverage with insurance carriers; Third Party, Medicaid and MediCare. Contact client if new proof of insurance is needed . • Educate clients about the Community Health Center and Financial Policy and how the policy applies to the program(s) to help client understand their responsibilities for making payments and/or providing proof of insurance and income. • Follow Federal Poverty Guidelines for sliding fee scale for clients when appropriate. • Notify client of payment responsibilities as stated in the Financial Policies. Verify insurance carrier payment or have client sign insurance waiver. Work with clients to make payments on outstanding balances. • Check out client and collect fees for services and make follow up appointments • Track client enrollment, un-enrollment in state insurance program as well as PCP assignments. • Conduct daily reconciliation of cash drawer and credit card payments. • Calculate and prepare closing till monies for daily deposit; • Perform cash-handling responsibilities which include, but not limited to, receipt and post client payments made both in person and received through the mail.	40%
3	MFA: Member of Care Team Essential Duties: • Participate as a member to the care team to provide services to clients. Participate in team huddles and meetings to help facilitate client care and clinic efficiencies. • Monitor client flow and load to ensure clients are seen timely. Inform clients and practitioners if wait time is extended. • Review schedule in advance for availability of future appointments and work collaboratively with care team to maximize access. Coordinate with clinical staff to determine availability for nonscheduled appointments. • Forward client messages to clinical staff. • Assist clinical staff to contact clients as needed.	10%
4	MFA: Other Duties As Assigned Essential Duties:	10%
Percentages should total 100%		100%

Special Requirements:

Driving required. CPR preferred. Spanish/English bi-lingual proficiencies preferred. Office experience in a confidential environment preferred. Good working knowledge of HIPAA requirements. Proficient data entry skills are a must including but not limited to intermediate user in Microsoft Office Suite including Word, Excel, and Outlook.

Physical Requirements:

Physical Demands

While performing the duties of this job, the employee is frequently required to use hands to finger, handle or feel; talk; or hear. The employee is occasionally required to stand; walk; sit; reach with hands and arms; and stoop; kneel; or crouch. The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision, depth perception and ability to adjust focus.

Work Environment

The employee works in well-lighted, clean environments. The noise level in the work environment is quiet to moderate.

Check the following that applies to this position: The employee may occasionally: ☒ work with angry or hostile clients or members of the public, ☒ work with toxic substances and biohazards, and ☒ exposure to infectious illnesses.

Emergency Preparedness:

Benton County is committed to emergency preparedness planning and implementation, and disaster recovery. In the case of a Health Department, County, State, Federal or other emergency or disaster, this position may be called upon to assist in responding. This may require the assignment of additional responsibilities, depending on the circumstances. These responsibilities could include unscheduled temporary changes in work schedule and/or work duties, including evenings and weekends, work relocation, overtime, working with other community agencies such as the local Fire Department, hospitals, the Red Cross and other emergency responders. The ability to be flexible is critical in our overall response to the emergency or disaster. Under Emergency situations this position may be called in to work, supporting Administration in regular duties or other work as assigned. Per County personnel policy, this position may be included in the agency's essential personnel for emergency/disaster response.

Quality Improvement Participation:

Employees are expected to participate in improving BHS' performance, processes, and programs through quality improvement activities, use of the PDSA model and participating on QI teams as assigned.

NOTE: The above job description is intended to represent only the key areas of responsibilities; specific position assignments will vary depending on the business needs of the department.

Employee: _____ Date: _____

Immediate Supervisor: _____ Date: _____

Position Request

Effective immediately all **new position requests or modification(s) to existing positions** must be approved by Position Management Committee (PMC). PMC can approve limited duration positions. Board of Commissioners approves permanent positions. This form and process is used for both limited duration and permanent positions. PMC members are: the COO, the Budget Manager, and the HR Director. Please submit the request below to initiate the process.

This form must be completed electronically and **emailed** to your HR Analyst and the Budget Manager (contacts: Tammy.Webb@co.benton.or.us; or Christine.Hoffmann@co.benton.or.us; and Pat.Cochran@co.benton.or.us). Budget and HR will move the request forward to the PMC once this phase is completed. Requestors will be responsible for providing funding option if petitioning an unfunded position request.

Name of Requestor: Kristi Reher

Department Head: [Suzanne Hoffman](#)

Has this request been reviewed by the Department Head? ☒ Yes ☐ No

Funding Available ☒ Yes ☐ No

Proposed Classification: [Administrative Assistant](#)

Department: [Health](#)

Proposed Funding Source: [Medicaid/OHA Contract](#)

Existing Position # if applicable: [Click here to enter text.](#)

Existing: ☐ New: ☒

Position Title: [Client Services Representative](#)

Salary Grade: [A13](#)

(If not known, Human Resources will classify position based on the position description submitted with request.)

Type of request:

☒ New position(s)

☒ **Position Description is attached** (must attach a position description for each, different position)

☒ The position has been classified by Human Resources.

(Note: New positions are filled through open competitive recruitments.)

New Proposed Positions, Classification and Subgrade	Proposed FTE
Client Services Representative A13	1.0
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.

Additional information: [For new Children and Family Program](#)

☐ Modification to an existing Position

☐ **Position Description is attached** (must attach a position description for each, different position)

Position(s)	Current FTE, Classification and Subgroup	Proposed FTE, Classification or Subgroup
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.

Additional information: [Click here to enter text.](#)

Net gain or loss in FTE: [Click here to enter text.](#)

Position Request

Loss in FTE: Is position vacant? ☐ Yes ☐ No

If not vacant, how will you resolve? (Layoff, etc.): [Click here to enter text.](#)

1. Describe the duties to be assigned to the new position, or how the duties have changed for a vacant position.

Attach position description for the new position.

2. Prepare and submit an organization chart showing all positions, titles, and names of employees and reporting relationships in the area of the new and/or vacant position.
3. Reason for request (i.e., specific organizational changes or additional monies. Attach additional sheets as necessary.)

New Child and Family mental health program is expanding and will be relocating to a separate space. A CSR is needed for ongoing customer care and to greet and check clients in at the front desk.

4. What is the importance to the mission of the department in approving this request?

Department is focused on services for the community. This position is instrumental in ensuring that services are trauma-informed and meets the needs of the community in an ongoing way.

5. The request is critical for one or more of the following (check all that apply): Provide detail description.
 - ☐ (a) Grant funded position. What is end date of grant? [Click here to enter text.](#)
 - ☐ (b) Regulatory compliance. What regulation? [Click here to enter text.](#)
 - ☐ (c) To address the health or safety needs.
 - ☒ (d) Workload
 - ☐ (e) Special Project: [Click here to enter text.](#)
 - ☒ (f) Restructure of current department/organization.

6. Has the department explored other less expensive ways to complete the needed responsibilities and duties?

Yes, we have attempted to utilize existing locations for these services however it became quickly apparent that these services need additional space outside of the HSB. We have been currently sharing a waiting room with the adult and crisis clientele which has created some situations that have resulted in increased anxiety and symptoms for children and families engaged in care.

7. If this request is not filled, how will the department perform the responsibilities and duties needed?

Position Request

Services will not be able to be completed without this position being filled.

8. What, if any negative financial or other consequence would there be if this request is not approved?

If this position is not filled, we will be required to have clinicians decrease caseloads and reduce direct services in order to cover the front desk.

9. Additional comments: These services for children and families in our community are pivotal in ensuring access to care, and are in alignment with Health Department strategic planning.

Budget Comments – the annual cost of an A13 AFSCME position is \$74,437. (Salary \$35,951, benefits \$38,486) This position was not budgeted in the 2021-23 budget. Department anticipates sufficient revenue to fund this position and all other costs associated with the Children's Program.

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 09/21/21

[View Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Finance

Contact Name * Mary Otley

Phone Extension * 7666767

Meeting Attendee Name * Mary Otley, Debbie Parsons

Agenda Item Details

Item Title * Charitable Giving Update

Item Involves * Check all that apply

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

Estimated Time * 15 minutes

Board/Committee Involvement *
☐ Yes
☒ No

Advertisement*

☐ Yes

☒ No

Issues and Fiscal Impact

Item Issues and Description

**Identified Salient
Issues ***

Benton County adopted the Workplace Charitable Giving policy on October 1, 2019. The policy provides guidance and parameters for employee charitable giving through a payroll deduction.

The policy also sets the selection criteria an organization must meet to be considered by Benton County.

Procedures direct Financial Services and Human Resources to review applications and to submit an initial listing of recommended organizations to the Board of Commissioners for approval.

United Way of Linn, Benton & Lincoln Counties (United Way) has submitted an organization request form. This is the first request the county has received.

Financial Services and Human Resources have reviewed the application. United Way meets all criteria to be considered for employee payroll deductions.

Options *

1. Approve the application as presented and approved by Financial Services and Human Resources.

2. Do not approve the application.

3. Ask for an amended application

Fiscal Impact *

☐ Yes

☒ No

2040 Thriving Communities Initiative

Mandated Service?* ☒ Yes
☐ No

2040 Thriving Communities Initiative

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

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

Values and Focus Areas

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

Core Values*

Select all that apply.

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

Explain Core Values Selections*

United Way supports many non-profit organizations that provide resources and support many those in need.

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 and Vision Selection*

United Way supports many non-profit organizations that provide resources and support many those in need.

Recommendations and Motions

Item Recommendations and Motions

Staff
Recommendations * Approve United Way's application

Meeting Motions * I move to ...
approve the United Way of Linn, Benton & Lincoln Counties" application to be included in the organizations that Benton County employees can contribute to through a payroll deduction.

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.

Benton County Charitable giving request form -
United Way.pdf

91.61KB

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

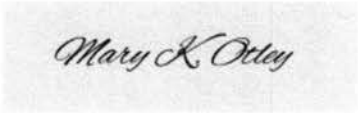
Department
Approver

MARY OTLEY

Department Approval

Comments

Signature



Mary K. Odley

BOC Initial Approval

Approvals Required ☐ Counsel
☐ Finance
☐ HR

County JOE KERBY
Administrator
Approver

Comments

County Administrator Approval

Comments

Signature

A rectangular box containing a handwritten signature in cursive script that reads "Joseph Kerby".

BOC Final Approval

Comments

Signature



Teresa Farley

BENTON COUNTY

WORKPLACE CHARITABLE GIVING

ORGANIZATION REQUEST FORM

Organization Information

Organization Name United Way of Linn, Benton & Lincoln Counties

Organization Address 1127 Hill St SE Albany, OR 97322 / PO Box 905 Albany, OR 97321

Organization Phone (541) 926-5432

Organization Website www.unitedwaylbl.org

Contact Information

Name Michael McClain

Phone (541) 926-5432

Email michael@uwlbl.org

☒ I certify that the organizations listed below (at least 10 must be listed) benefit people & causes within the State of Oregon

- ☐ Boys & Girls Club of Corvallis
- ☐ Casa Latinos Unidos
- ☐ CASA of Benton County
- ☐ Community Outreach, Inc.
- ☐ Corvallis Environmental Center
- ☐ Jackson Street Youth Services
- ☐ Old Mill Center for Children and Families
- ☐ South Corvallis Food Bank
- ☐ Strengthening Rural Families
- ☐ Vina Moses Center

☒ A copy of the 501(c)3 designation letter has been provided

☒ A copy of the organization's written policy on non-discrimination has been provided

BENTON COUNTY

WORKPLACE CHARITABLE GIVING

ORGANIZATION REQUEST FORM

- ☐ Please describe the mission and values of your organization with a brief summary of the services and causes represented by your consortium.

We mobilize the resources and people of our communities in collective action to address
our most pressing challenges. We envision communities where all individuals and families
have the opportunity to achieve their potential. United Way of Linn, Benton & Lincoln
Counties fights for the health, education, and financial stability of every person in every
community across our tri-county footprint. United Way belongs where we operate and we
are committed to aiding each of our donors in investing in services and agencies in their own
backyard. In short, the dollars raised are invested back into the communities they are raised
in. We partner with local nonprofits, companies, volunteers, and community members to
create lasting change.


Signature

09/08/2021
Date

Please return this form and the required documents to:

Benton County Financial Services
Attn: Debbie Parsons
PO Box 964
Corvallis, OR 97339
debbie.parsons@co.benton.or.us

If anything on this form changes, it is the organization's responsibility to notify Benton County.