



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
TUESDAY MEETING
LINN COUNTY COURTHOUSE – ROOM 200
AUGUST 4, 2020**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, August 4, 2020.

Those present at various times for the matters as indicated below were: Ryan Vogt, Executive Director, Oregon Cascade West Council of Governments; Mark Volmert, Linn County Special Transportation Coordinator; Andy Stevens, Linn County Assessor, Russ Williams, Linn County General Services and Property Management Director; Michelle Hawkins, Linn County Treasurer; Gene Karandy, County Attorney for Linn County; Paul Timm, Linn County Undersheriff; Micah Smith, Lieutenant Supports Division, Linn County Sheriff's Office; Torri Lynn, Linn County Juvenile Department Director; Janet Steele, Executive Director, Albany Chamber of Commerce; Rebecca Grizzle, Executive Director, Lebanon Chamber of Commerce; Lynn Merrill and Alex Paul, Reporter for Democrat-Herald.

1, 2, 3. At 9:30 a.m. Chairman Nyquist called the meeting to order. The flag salute and roll call followed. Commissioners Roger Nyquist, Chairman; John K. Lindsey, Vice-Chairman and Will Tucker were present, as well as, Darrin L. Lane, Linn County Administrative Officer and Marsha Meyer, Recorder for the Board of Commissioners.

4. Approval of Agenda.

Commissioner Nyquist stated that there have been a million moving parts and consequences to the shut down due to COVID-19 and no one was looking at how the kids were getting the short-end. He asked the Board that this matter be added to the Agenda. Commissioner Tucker asked whether he wanted to discuss it now and it was determined to add this matter under Agenda Item No. 16 – New Business; discussion then continued.

Commissioner Tucker agreed with Commissioner Nyquist's concerns and added that he would also include parents having to deal with child care and how to get the parents back to work.

Commissioner Nyquist stated that, up until last Tuesday, July 29, 2020, the Governor had indicated that it was left up to the local school districts to devise their own plan. Commissioner Nyquist expressed concern that no schools in any County would be able to meet the Governor's matrix. Commissioner Nyquist expressed his concerns that there were kids that need in-classroom time and social services that are received through the school; that was not going to happen. He had heard that the school superintendents would like the County to take care of the whole child care issue.

Commissioner Nyquist then stated that he would like to declare an emergency for Linn County kids and take a look at developing a plan and resources to, at least, address the issue because nobody else was addressing it. He stated that, when the Governor discussed her matrix, it wasn't discussed nor was it discussed later in a telephone call with Dr. Sidelinger; Commissioner Nyquist asked him the question of what they were going to do with all the kids and who would pay for it. He stated that no one answered that question; it's not right!

Commissioner Nyquist then asked the Board for their thoughts about the County Declaring an Emergency for kids in Linn County. Commissioner Tucker stated that he would be happy to work on a draft Declaration of Emergency for both families and children because he believed that the family care issue was just as critical as the school piece. The County needs to find ways to safely manage children and activities where they can grow and, as equally important, for the parent to have confidence that their kids are taken care of so they can return to work.

Commissioner Nyquist stated he was not sure what they were getting into because the need was substantial and, with the matrix changing without rhyme or reason or notice, and no financial resources on the table to do it. Commissioner Tucker stated that he would be happy to draft a document for the Board to look at by the end of the day. Commissioner Lindsey stated that he was onboard with moving forward with a document. Commissioner Nyquist stated that the Board had a consensus regarding this matter.

Commissioner Nyquist then asked both Janet Steele, Executive Director, Albany Chamber of Commerce and Rebecca Grizzle, Executive Director, Lebanon Chamber of Commerce for their thoughts and they both provided their comments. Discussion continued.

The Board, by consensus, directed Commissioner Tucker to draft a Declaration of Emergency.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the agenda as modified and to move Agenda Item No. 16 – New Business first on the Agenda. The vote was called. The motion passed unanimously.

5. Approval of the July 28, 2020 Commissioners’ Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the July 28, 2020 Commissioners’ Meeting Minutes. The vote was called. The motion passed unanimously.

6. Reports of Staff and Committees: None.

7. COG Update – Ryan Vogt, Executive Director, Oregon Cascades West Council of Governments.

Mr. Vogt stated that he was the new Executive Director for COG. He did not have an update but was attending to officially introduce himself to the Board.

A. Resolution & Order 2020-232 approving an Amendment No. 1 to an intergovernmental Agreement for Census Complete County Committee between the Oregon Cascades West Council of Governments (OCWCOG) and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-232. The vote was called. The motion passed unanimously.

Commissioner Nyquist thanked Mr. Vogt and stated that the Board looked forward to working with him.

8. Special Transportation – Mark Volmert, Linn County Special Transportation Coordinator.

Mr. Volmert provided background information in regard to the following items. He stated that there was one footnote regarding the Benton County Dial-A-Bus program that had been funded for a number of years. Benton County asked that the \$3,000 allocation be withdrawn and carried forward into next year. Commissioner Tucker asked why it was withdrawn and Mr. Volmert stated that they had stopped the service and it may not start up again; it was an expensive program.

A. Resolution & Order 2020-188 approving an Intergovernmental Agreement for Special Transportation between City of Albany/Linn-Benton Loop and Linn County.

Action Taken Below.

B. Resolution & Order 2020-189 approving a Subrecipient Agreement for Special Transportation Services between Linn County and Oregon Mennonite Residential Services.

Action Taken Below.

C. Resolution & Order 2020-204 approving an Intergovernmental Agreement for Special Transportation between City of Lebanon Dial-A-Bus and Linn County.

Action Taken Below.

D. Resolution & Order 2020-205 approving an Intergovernmental Agreement for Special Transportation between City of Albany Call-A-Ride and Linn County.

Action Taken Below.

E. Resolution & Order 2020-206 approving an Intergovernmental Agreement for Special Transportation between Oregon Cascades West Council of Governments and Linn County.

Action Taken Below.

F. Resolution & Order 2020-211 approving a Subrecipient Agreement for Special Transportation Services between Linn County and Chamberlin House, Inc.

Action Taken Below.

G. Resolution & Order 2020-212 approving a Subrecipient Agreement for Special Transportation Services between Linn County and Senior Citizens of Sweet Home dba Linn Shuttle

Action Taken Below.

H. Resolution & Order 2020-213 approving a Subrecipient Agreement for Special Transportation Services between Linn County and Volunteer Caregivers, Inc.

Action Taken Below.

I. Resolution & Order 2020-214 approving a Subrecipient Agreement for Special Transportation Services between Linn County and Senior Citizens of Sweet Home dba Sweet Home Dial-A-Bus.

Action Taken Below.

J. Resolution & Order 2020-215 approving a Subrecipient Agreement for Special Transportation Services between Linn County and Sunshine Industries Unlimited, Inc.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Orders 2020-188, 189, 204, 205, 206, 211, 212, 213, 214 and 215. The vote was called. The motion passed unanimously.

Commissioner Nyquist then stated that he wanted to add Agenda Item No. 15-B - Unfinished Business and General Orders to continue the ongoing conversation with both Chamber of Commerce and the prospect of them doing outreach for small business federal assistance. He stated that he received a letter from Janet Steele, Executive Director, Albany Chamber of Commerce. The other Board members indicated that they had not seen the letter so Ms. Steele provided a copy for them to review and then to be placed in the record. The Board took a few minutes to review the letter. A copy of the letter is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Action – Commissioner Nyquist moved to approve \$15,000 per month to each Chamber along the lines as presented.

After reading the letter, Commissioner Tucker stated that it met his approval and supported the Board creating a Memorandum of Understanding (MOU) regarding this matter. Commissioner Lindsey questioned the dollar amount and Commissioner Nyquist indicated that the funding would only go from August 1, 2020 through December 31, 2020.

Ms. Steele stated they met yesterday, Monday, August 3, 2020, with a consultant and came up with the program name "Linn County Outreach Program".

Commissioner Lindsey clarified that the funds would not exceed \$150,000 and Commissioner Nyquist stated that it would be \$75,000 each for the Albany and Lebanon Chambers. Commissioner Lindsey agreed and said to go forward. Discussion followed.

Commissioner Tucker stated that there was consensus of the Board to support a MOU for this matter and Commissioner Nyquist stated that the Chambers could move forward with the assurance that the Board was committed.

The Board then continued with the remainder of the Agenda items.

9. Assessor's Office – Andy Stevens, Linn County Assessor.

A. Resolution & Order 2020-220 approving an Intergovernmental Agreement between the Department of Revenue and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-220. The vote was called. The motion passed unanimously.

10. General Services – Russ Williams, Linn County General Services and Property Management Director.

A. Sealed Bid – Account No. 280871.

Mr. Williams stated this property was a barrier strip of .15 acres that went into foreclosure and the Board acquired it in 1986. An offer had been made and there was no minimum bid.

Mr. Williams opened the sealed bid and read it into the record. The offer was for \$2,001 from Acreage Land Solutions. He reminded the Board that the goal of the County's Property Management was to get land back in use for the public and back on the tax roll. Discussion followed.

Commissioner Tucker stated he was inclined to accept the bid. He stated that Lynn Merrill was the adjacent property owner. Commissioner Tucker asked Darrin Lane, Linn County Administrative Officer, if he had any comment. Mr. Lane stated that Mr. Merrill had contacted him (as Roadmaster) to get access to the County road that was close to his property. Mr. Merrill discovered that there was a one foot barrier strip and, therefore, he would not have any legal access to the County road. Mr. Merrill then proposed to make an offer to purchase the barrier strip and, at that time, Mr. Lane suggested that the County may not be interested in selling the barrier strip because then Mr. Merrill would have legal access to the road and the County would have limited ability to negotiate with Mr. Merrill or know what his access to the road would look like. Mr. Lane stated that if the County granted Mr. Merrill an easement, then we could ask him to show the County what he planned to do and determine what the impacts would be to the road. Mr. Lane recommended that the Board find out more information of what Mr. Merrill wanted to do rather than just give him direct access to the County road. Discussion continued.

Commissioner Nyquist stated that he believed that this was a policy question and wanted to hear from Planning and Building and the Road Department about the proposed action and the consequences before the Board made a decision on this matter. The Board agreed. Commissioner Tucker asked that Commissioner Lindsey provide the Board with the background information and documents he had of why the Board should retain this piece of property.

Commissioner Nyquist clarified for Mr. Williams that there was no action taken on this bid.

Commissioner Lindsey stated, for the record, that he needed to disclose that where he lives there is a County barrier strip to keep this from happening in his subdivision.

11. Discussion and potential action on a 4-Year Law Enforcement Levy for years 2022-23, 2023-24, 2024-25, 2025-26 at a rate of \$3.08 per thousand of assessed value.

Commissioner Nyquist stated that there were two years left in the existing levy and, with the challenging and unknown times where there is a “defund public safety” movement, voting on a levy that would be two years out for the voters so they would have some certainty, as well as, the Sheriff’s Office, District Attorney’s Office and Juvenile Department was an attractive proposition. Anything the Board could do to stabilize things, as we understand them today, was a good thing. Commissioner Nyquist stated that he was inclined to send this matter to the voters in November, 2020 and have a public conversation for them to tell us what they think. Commissioner Tucker concurred with having the conversation and putting the matter on the ballot, even though it was not necessary, it would be good for the Board to have the voters support.

Commissioner Lindsey asked about the current levy that still had two years left. Commissioner Nyquist clarified that they would create a new levy that would trigger when the current levy expired in two years. This would give six years of consistent stable funding. He stated that this may be a tool in recruitment of personnel; we want the most talented folks we can get serving in these very important roles. It would also be good for the current personnel to have certainty over that period of time.

Action – Commissioner Tucker moved to direct staff to prepare a Law Enforcement Levy for the November, 2020 ballot at \$3.08 per thousand for the years 2022-23, 2023-24, 2024-25, 2025-26.

Commissioner Lindsey asked what the current levy amount was and Commissioner Nyquist stated that it was \$2.83; it would increase a quarter at the end of the current two-year levy. Commissioner Lindsey stated that they hadn’t really talked about this. Commissioner Tucker stated that he had just heard the conversation and was in a place

where he concurred moving forward. He stated that he believed Linn County was different than other places and would still, in fact, support the law enforcement levy. Commissioner Nyquist then asked Darrin Lane, Linn County Administrative Officer, his thoughts on the matter.

Mr. Lane stated that his understanding was that the Board needed to have ballot documents filed by August 14, 2020 so that was one of the reasons it needed to be done now. Commissioner Nyquist stated that he has had somewhat of an ongoing conversation with the Sheriff over the last month as they saw what was going on in other communities. Commissioner Lindsey agreed that this would send a message that Linn County and the Linn County citizens were not part of what is happening in communities around us.

Commissioner Lindsey seconded the motion. The vote was called. The motion passed unanimously.

Commissioner Tucker recommended that the Board move to Agenda Item No. 14-B before recessing to go into the Executive Session as a staff member was present for that item.

14-B. – Resolution & Order 2020-233 amending a classification for Registered Nurse – Detention Center and changing the salary range from 15 to 19 (SEIU-Range 19).

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-233. The vote was called. The motion passed unanimously.

Commissioner Nyquist recessed the regular Board meeting at 10:22 a.m.

12. Executive Session – Pursuant to ORS 192.660(2)(e)(h).

By unanimous consent, the Board closed the Executive Session.

Commissioner Nyquist reconvened the regular Board meeting at 11:05 a.m.

Commissioner Nyquist stated that no decisions were made in the Executive Session nor was there any being made at this time as a result of the Executive Session.

13. Correspondence: There was no correspondence to come before the Board.

14. Special Orders:

A. Personnel Action Forms were read into the record for: Zoe Sams and Lauren Swart (General Services); Charles Meredith, Jr. and Holly Simpson (Juvenile); Casey Hough and Victoria Lathos (Mental Health); Katherine Cozby, Justina Gunderson, Shannon Ritz and Nicholas Spann (Parks & Recreation); Rachel Lytle, Kimberly Muth, Adaline Padlina and Hannah Wuilliez (Pubic Health) and Dean Morales, Parker Leigh and James Smith (Road Department).

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to accept the Personnel Action Forms as read into the record. The vote was called. The motion passed unanimously.

B. Resolution & Order 2020-233 amending a classification for Registered Nurse – Detention Center and changing the salary range from 15 to 19 (SEIU-Range 19). *(This item was heard after Agenda Item No. 11).*

C. Resolution & Order 2020-234 amending a classification for Administrative Assistant/Office Manager 3 (Management/Exempt-Range 15).

Mr. Lane stated that this Resolution & Order was amending the classification to address the needs in General Services, as well as, to conform to the current format.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-234. The vote was called. The motion passed unanimously.

D. Request for Refund from Linn County Expo Center to Vickie Pruitt, \$3,500.

Action Taken Below.

E. Request for Refund from Linn County Expo Center to Larry Rogers, \$3,500.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Request for Refunds to Vickie Pruitt and Larry Rogers who rented the Fair/Expo and now were unable to use due to COVID-19. The vote was called. The motion passed unanimously.

F. Request for Refund from Developmental Disabilities to Oregon Department of Human Services-OFS, \$38,472.

Commissioner Tucker stated that the payment the County received from the Oregon Department of Human Services was meant for another provider; this refund corrected that error.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Request for Refund to Oregon Department of Human Services-OFS. The vote was called. The motion passed unanimously.

15. Unfinished Business and General Orders:

A. Calendar Update: The Commissioners updated their calendars. Commissioner Tucker mentioned that all three Board members would be attending the Elected Officials meeting tomorrow, Wednesday, August 5, 2020.

B. Continued discussion with the Albany and Lebanon Chamber of Commerce regarding funding outreach to small businesses for federal assistance. (This item was added to the Agenda during the Board meeting and was heard after Item No. 8).

16. New Business:

The Board modified the Agenda to hear Agenda Item No. 16 – New Business at the beginning of the meeting before approving the Agenda. It was a discussion regarding Linn County kids and the effect on them due to the COVID-19 pandemic.

Commissioner Lindsey stated that the Board had received a letter from the Secretary of the Interior dated July 23, 2020. A copy of the letter is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Commissioner Lindsey stated that he had held onto the letter to contact the Administration about the historic statutes that had been destroyed and were privately owned by the government. Attached to the letter was a copy of the President's Executive Order asking Counties if they would be interested in having a national garden with 26 specific displays and asking the States if they would want to participate. Commissioner Lindsey stated that there were two parcels of land in Linn County that came to his mind that would fit the criteria and he wanted to continue to pursue this matter. He stated that he would get a copy of the letter to Commissioner Nyquist for his review. Commissioner Nyquist was not sure what Commissioner Lindsey was referring to; Commissioner Tucker provided additional information.

17. Announcement: There will be an Elected Officials meeting held at Noon on Wednesday, August 5, 2020 at the Linn County Fair Expo Center in Conference Room 4.

18. Business from the Public (3 minute limit per speaker): There was no one present from the public wishing to use this forum.

19. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 11:12 a.m. by unanimous consent.

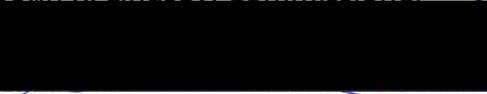
The next regular public meeting of the Board of Commissioners is scheduled for 9:30 a.m. on Tuesday, August 11, 2020.

 Recorder
For Board of Commissioners
Marsha Meyer

LINN COUNTY BOARD OF COMMISSIONERS


Roger Nyquist, Chairman


John K. Lindsey, Commissioner


William C. Tucker, Commissioner

Date 8-11-2020