



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
TUESDAY AND WEDNESDAY MEETING
LINN COUNTY COURTHOUSE – ROOM 200
August 11 and 12, 2020**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, August 11, 2020.

Those present at various times for the matters as indicated below were: Gene Karandy, County Attorney for Linn County; Robert Wheeldon, Linn County Planning & Building Director; Rachel Adamec, Real Property Program Manager, Linn County General Services; Todd Noble, Linn County Health Services Administrator; Diana Denham, Fiscal Services/Health Administrative Manager, Linn County Health Administrative Services; Micah Smith, Lieutenant Support Division, Linn County Sheriff's Office; Lynn Merrill; Alan Kwan 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 Heather Gravelle, Recorder for the Board of Commissioners.

4. Approval of Agenda.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the agenda. The vote was called. The motion passed unanimously.

5. Approval of the August 4, 2020 Commissioners' Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the August 4, 2020 Commissioners' Meeting Minutes. The vote was called. The motion passed unanimously.

6. County Attorney's Office – Gene Karandy, County Attorney for Linn County.

A. Resolution & Order 2020-241 approving a Personal Services Contract between Sussman Shank, LLP and Linn County.

Mr. Karandy provided the Board with an overview of Resolution & Order 2020-241.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-241. The vote was called. The motion passed unanimously.

B. Resolution & Order 2020-242 appointing Enforcement Officers and Medical Health Constables.

Mr. Karandy provided the Board with details regarding Resolution & Order 2020-242 and explained that, since it had been implemented, there had been changes in personnel and it needed to be updated. Commissioner Nyquist asked for further clarification and asked what a Medical Health Constable was and stated that it sounded Canadian to him. Mr. Karandy replied that a Medical Health Constable had the authority to enforce public health laws. Discussion followed.

Commissioner Nyquist noted there was public sensitivity regarding this matter and expressed concern that the passage of it, based on the times we live in, could be misinterpreted and could be a distraction from their goals. After discussion, the Board decided to table the item for further review.

C. Resolution & Order 2020-245 calling an election to submit to Linn County Electors the question of approving a Tax Levy for Law Enforcement Services.

Mr. Karandy provided the Board with an overview of Resolution & Order 2020-245.

Darrin Lane, Linn County Administrative Officer, stated that Micah Smith, Lieutenant Support Division, Linn County Sheriff's Office, had found a slight discrepancy on the ballot title in terms of missing information. Mr. Smith explained that item 3 B in the exhibit states that we must declare the amount of the property tax in dollars and cents for the tax rate per thousand, however, that verbiage was not written in the ballot question. After discussion, the Board tabled the item to Wednesday, August 12, 2020 at 9:00 a.m. in order for County Attorney to make the necessary revisions.

7. Reports of Staff and Committees:

A. Planning Update – Robert Wheeldon, Linn County Planning and Building Director.

Mr. Wheeldon provided the Board with an update for the month of July, 2020. A copy of the update is on file in the Linn County Clerk's Office in the Commissioners' Staff File. Mr. Wheeldon shared that revenue was significantly down in all areas for July, 2020 except for land use permits. He stated that he believed that was a temporary situation as the revenue comes in when the permits get issued and he expected a lot of permits to be issued soon as there were many subdivision dwellings that were currently being reviewed. He added that they were also working on the Knife River Training Facility at the Kennel Road Quarry and that permit should be issued later this week.

Mr. Wheeldon explained that the Planning Commission had been scheduled to conduct a public hearing and take testimony regarding a proposed 40-acre quarry expansion near Lyons on Tuesday, August 11, 2020 at 7:00 p.m. at the Fair and Expo Center; however, the applicant had just requested a postponement for one month in order to gather more relevant information. He stated he would keep the Board posted on the matter. Next, Mr. Wheeldon stated that they had received the first two land use applications to site the commercial solar energy generation facilities; one was for 20-acres near Highway 20 and Eicher Road east of Albany and the other was for 12-acres near Highway 228 and Fisher Road west of Brownsville.

Lastly, Mr. Wheeldon shared that, in order to better serve the local construction industry, he has instituted seasonal inspection hours beginning one hour earlier in the morning and continuing until all the daily inspections were completed. Discussion followed. The Board thanked Mr. Wheeldon for his work and the updates.

8. General Services – Rachel Adamec, Real Property Program Manager, Linn County General Services.

A. Sealed Bid – Account No. 280871 (Continued from Tuesday, August 4, 2020).

Ms. Adamec stated that the Board had received additional items for the record on this matter: a letter with maps and pictures from Lynn Merrill and an email from neighboring property owner, Rick Jones, Cascade Timber Consulting, who agreed to purchase the 1 foot barrier strip that borders the tax lot in question. Both items are on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Mr. Lane commented that the perspective of the Road Department was that, due to the unknown potential impacts of possible future development, they had recommended that an easement be granted for specific uses that would effectively accomplish the same thing as selling the barrier strip, but would allow the County to retain control over any future development.

After extensive discussion on the matter, the Board determined that it would be best for Mr. Merrill to work with Ms. Adamec to go through the easement and access permit process and asked Mr. Merrill if he was ok with that. Mr. Merrill replied that he was fine with it, but wanted to ensure that he would not be prevented from future development options. Mr. Lane recommended that Mr. Merrill make a list of all the items that he wanted to make sure were part of the easement and include it with his application and Mr. Merrill agreed.

9. Treasurer's Office – Michelle Hawkins, Linn County Treasurer.

Ms. Hawkins was not in attendance due to a previous commitment, therefore, Mr. Lane provided the Board with background information regarding the following items:

A. Order 2020-236 approving a transfer of certain appropriations within the General Fund, \$2,600,000.

Action Taken Below.

B. Order 2020-237 approving a transfer of certain appropriations within the Health Fund, \$2,600,000.

Action Taken Below.

C. Order 2020-239 accepting an expenditure of a certain grant within the Health Fund, \$187,252.

Action Taken Below.

D. Order 2020-240 accepting an expenditure of a certain grant within the General Fund, \$1,700,000.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Orders 2020-236, 237, 239 and 240. The vote was called. The motion passed unanimously.

10. Correspondence: Commissioner Tucker noted that the Board had signed a Declaration of Local Emergency of COVID-19 effects on the children of Linn County, on Wednesday, August 5, 2020. The Declaration is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

11. Special Orders:

A. Personnel Action Forms were read into the record for: Melissa Kometz (Developmental Disabilities); Russell Williams (General Services); Hannah Alley and Seth Duke (Juvenile); Beverley Ring (Juvenile Detention); Kiersten Glaeser and Christopher Schwarz (Mental Health); Justina Gunderson (Parks and Recreation); Sydney Jones and Rui Lund (Public Health); Brandon Keenon, Mitchell Keenon, Nicholas Lambert, Trenton McCormick, Christopher Molina and Mark Thayer (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 2020-238 approving a Grant Agreement between the State of Oregon Department of Administrative Services (Grant No. 1022) and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-238. The vote was called. The motion passed unanimously.

12. Unfinished Business and General Orders:

A. Calendar Update: Commissioner Nyquist stated that both he and Commissioner Tucker would be at the Fair and Expo Center today, August 11, 2020 at Noon. They will be meeting with some of the best people and minds in Linn County to develop a grant application for funds to increase the capacity for services being provided to Linn County youth. The grant would provide funds for extra-curricular activities that have stopped because of COVID-19 and the shutdown in March, 2020.

13. New Business: There was no new business to come before the Board.

14. Announcements: There were no announcements.

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

16. Adjournment: There being no other business to come before the Board; by unanimous consent, the Board of Commissioners meeting was recessed at 10:32 a.m. to Wednesday, August 12, 2020 at 9:00 a.m.

Minutes of the Linn County Board of Commissioners recessed meeting, Tuesday, August 11, 2020 continued to Wednesday, August 12, 2020:

Those present at various times for the matters as indicated below were: Gene Karandy, County Attorney for Linn County and Micah Smith, Lieutenant Support Division, Linn County Sheriff's Office.

17, 18. At 9:00 a.m. Chairman Nyquist called the meeting to order 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 Heather Gravelle, Recorder for the Board of Commissioners.

19. Resolution & Order 2020-245 calling an election to submit to Linn County Electors the question of approving a Tax Levy for Law Enforcement Services.

Mr. Karandy provided the Board with the revised Resolution & Order and stated that the updated title language now conform to both the statues and the administrative rules. Brief discussion followed.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-245. The vote was called. The motion passed unanimously.

20. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at never 9:03 a.m. by unanimous consent.

The next regular public meeting of the Board of Commissioners is scheduled for 9:00 a.m. on Tuesday, August 18, 2020.

[REDACTED], Recorder
For Board of Commissioners
Heather Gravelle

LINN COUNTY BOARD OF COMMISSIONERS

[REDACTED]

Roger Nyquist, Chairman

[REDACTED]

John K. Lindsey, Commissioner

[REDACTED]

William C. Tucker, Commissioner

Date 8-18-2020