



**MINUTES OF THE REGULAR SESSION OF THE  
LINN COUNTY BOARD OF COMMISSIONERS  
TUESDAY MEETING  
LINN COUNTY COURTHOUSE – ROOM 200  
JANUARY 21, 2020**

**The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, January 21, 2020.**

Those present at various times for the matters as indicated below were: Todd Noble, Linn County Health Services Administrator; Dr. William Muth, Linn County Health Officer; Shane Sanderson, Linn County Environmental Health Program Manager; Glenna Hughes, Linn County Public Health Program Manager; Gene Karandy, County Attorney for Linn County; Jodi Gollehon, Deputy County Attorney for Linn County; Russ Williams, Linn County General Services and Property Management Director; Rachel Adamec, Office Specialist/Property Management, Linn County General Services; Brian Carroll, Linn County Parks and Recreation Director; Paul Timm, Linn County Undersheriff; Michelle Duncan, Lieutenant, Linn County Sheriff's Office; Andy Stevens, Linn County Assessor; Mark Wilkinson, Linn County Assessor's Office; Larry Eby and Alex Paul, Reporter, *Democrat-Herald*.

1, 2, 3. At 9:30 a.m. Vice-Chairman Lindsey called the meeting to order. The flag salute and roll call followed. Commissioners John K. Lindsey, Vice-Chairman and Will Tucker were present, as well as, Ralph Wyatt, Linn County Administrative Officer and Marsha Meyer, Recorder for the Board of Commissioners. Commissioner Nyquist had not arrived at the time of roll call.

4. Approval of Agenda.

**Action – Commissioner Tucker moved to approve the agenda. The vote was called. The motion passed by consensus.**

5. Approval of the January 15, 2020 Commissioners' Meeting Minutes.

**Action – Commissioner Tucker moved to approve the January 15, 2020 Commissioners’ Meeting Minutes. The vote was called. The motion passed by consensus and Commissioner Lindsey indicated that Commissioner Nyquist could sign the documents on his arrival.**

6. Board of Health – Todd Noble, Linn County Health Services Administrator.

A. Communicable Disease and Vital Statistics Reports – Dr. William Muth, Linn County Health Officer.

Dr. Muth reviewed the Communicable Disease and Vital Statistics reports for December, 2019 with the Board. Commissioner Tucker referred to the report of a suicide death by stabbing. Dr. Muth said it was a 22 year old.

Commissioner Lindsey asked Dr. Muth about four deaths in China due to a current virus and asked Dr. Muth what he knew and whether or not it was serious. Dr. Muth stated that it was an emerging infection that seems to come from China and there is always a potential for a pandemic in development; this one has the potential to be serious. The public health providers are using common sense and screening people that are traveling from that area to limit the spread. Discussion continued regarding this matter.

B. Environmental Health Monthly Activity Report – Shane Sanderson, Linn County Environmental Health.

Mr. Sanderson presented the Board with an overview of the December, 2019 Monthly Activity Report. He stated that it had been a predictable month but noted that there had been a lot more restaurant openings; maybe twice the number than last year. It can be an indicator of the up-swing in the economy. He then stated that he was going to be reviewing the format of the Monthly Activity Report and possibly making some modifications to see how the report could provide better information by putting the numbers in better context. The Board discussed some possible changes that could be made to the report.

Commissioner Tucker then referred to the number of dog bites listed in the report and noted that there was about twice the number recorded as of year-to-date. Mr. Sanderson stated that it was hard to tell if that number was an artifact of increased reporting or not. Some communities have issued a press release letting citizens know that the Health Department records this information. Commissioner Tucker added that Samaritan was doing a better job at screening for that at their facilities.

C. Resolution & Order 2019-393 approving a Contract between Renew Consulting, Inc. and Linn County.

**Action – Commissioner Tucker moved to approve Resolution & Order 2019-393. The vote was called. The motion passed unanimously.**

D. Resolution & Order 2020-009 approving an Intergovernmental Agreement between the National Association of County and City Health Officials for Linn County and delegating authority to execute originals.

**Action – Commissioner Tucker moved to approve Resolution & Order 2020-009. The vote was called. The motion passed 2-0.**

*Commissioner Lindsey recessed the regular Board meeting at 9:17 a.m.*

*Commissioner Nyquist arrived and reconvened the regular Board meeting at 9:19 a.m.*

7. Reports of Staff and Committees:

A. Fair/Expo Update – Randy Porter, Linn County Fair and Expo Director.

*Mr. Porter did not attend the Board meeting so the Board determined to reschedule his update to Tuesday, January 28, 2020.*

8. County Attorney – Jodi Gollehon, Deputy County Attorney for Linn County.

A. Resolution & Order 2020-011 amending the LCC Chapter 650 Linn County Parking Code.

Ms. Gollehon stated that there had been some issues with illegally parked vehicles and broken down RV's on tax foreclosed properties, County Parks and at the Fair and Expo. The Sheriff's Office did have the authority to remove the vehicles. Ms. Gollehon amended the Parking Code, which was old, so she decided to "reinvent" and expand it so anyone who manages County properties or parking lots could use it. There are different procedures and statutes to remove the vehicles and takes the responsibility off the Sheriff's Office to figure out who has the authority to remove the vehicles.

Commissioner Nyquist asked, in the case of an abandoned or broken down RV, who they call to tow it. Ms. Gollehon stated that the Sheriff's Office has towing contracts but they can call anyone they want. The County will have to pay for the towing cost. Discussion followed.

The Board recognized Paul Timm, Linn County Undersheriff who stated that, in regard to the Board's concern about someone dumping their vehicle a long side of the road, the Sheriff's Office already deals with those issues. This amendment deals with County properties and gives them a better mechanism to get them removed from the property. He stated, in reference to RV's, it cost about \$1,000 to get rid of them. Currently, the tow company eats all the cost but Undersheriff Timm stated that they are working to address that cost in the towing contracts.

**Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approved Resolution & Order 2020-011. The vote was called. The motion passed unanimously.**

Ms. Gollehon asked if the Board wanted it read into the record as it was the first reading of the amendments. She apologized that she did not make it clear that it was the 1st Reading and that she would be back on the February 4, 2020 agenda for the Board's approval of the Resolution & Order. It was then discussed that she read the title into the record.

**Action – Commissioner Lindsey moved to waive the reading and Commissioner Tucker seconded the motion. The vote was called. The motion passed.**

Commissioner Tucker stated that the Resolution & Order would need to be redone as it was dated for today, Tuesday, January 21, 2020 and it did not read that it was the 1<sup>st</sup> Reading. Ms. Gollehon stated she would make the correction and get it back to Marsha Meyer, Recorder for the Board.

Ms. Gollehon then read the caption of the Amendment into the record. She then realized that it should be an Ordinance not a Resolution & Order.

B. Resolution 2020-012 adopting a Whistleblower Protection Policy for Linn County Employees.

Ms. Gollehon stated that this policy was required in accordance with Senate Bill 2016 and another Bill was passed to further amend it. To comply, Ms. Gollehon prepared a policy for the Board to adopt to be sure that there was something on the books to meet the requirement.

**Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution 2020-012.**

Commissioner Nyquist stated that he had some concerns that if someone complained about a supervisor they were then protected from any type of action regardless of their

job performance. Ms. Gollehon stated that if someone had a complaint about their supervisor and it turned out that that complaint was not based on any facts or anything in writing; there was a mechanism for them to be disciplined. Commissioner Nyquist asked if the passing of this policy compromised the current process any further and Mr. Karandy stated that only in the fact that there are procedural requirements that have to be followed by law. Ms. Gollehon stated that the House Bill states that all government officials must have a Whistleblower policy and in the follow-up bill in 2018 a requirement was passed for BOLI to establish a handbook for agencies to use to write these policies. Ralph Wyatt, Linn County Administrative Officer, said that it actually doesn't change anything except puts the County in compliance with the law and is another layer of what the County has already been doing.

**The vote was called. The motion passed unanimously.**

C. Resolution & Order 2020-013 amending LCC Chapter 510 the Linn County Abandoned Vehicle Code.

Ms. Gollehon stated that the Parking Code that was discussed earlier changed how all County agencies (other than the Sheriff's Office) dealt with County properties with abandoned vehicles on public right-away; this code applies to the Sheriff's Office and State Police.

**Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-013.**

Ms. Gollehon stated that this item also should have been presented as a 1<sup>st</sup> Reading. She will also need to update the Resolution & Order for this item.

**Action – Commissioner Tucker moved to waive the reading and Commissioner Lindsey seconded the motion. The vote was called. The motion passed unanimously.**

Ms. Gollehon then read the caption of the Amendment into the record and stated that she would redo the document to be an Ordinance and get the corrected document in time to be on the Tuesday, February 4, 2020 agenda.

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

A. Sealed Bid Openings – Account Nos. 239471, 240222 and 258257.

Mr. Williams stated that the sealed bid opening was in regard to the Sweet Home Mill that was auctioned off. He then opened the sealed bid. There was only one bid for all three account numbers.

The sealed bid was for \$1,000. Commissioner Nyquist did not want to know the name of the bidder. Mr. Williams stated that there was also a lengthy letter enclosed which was entered into the record.

Commissioner Nyquist stated that he would entertain a motion to decline the offer.

**Action – Commissioner Lindsey moved and Commissioner Tucker seconded the motion to decline the offer of \$1,000. The vote was called. The motion passed unanimously.**

Discussion followed in regard to how to move forward with the Sweet Home Mill Site property. Commissioner Nyquist stated that he had had a meeting with the City of Sweet Home about this property ten days ago. He stated that the friction between the County as property owner and the City of Sweet Home's vision for the property including the residents that would be impacted; caused the Board to pause and work with the community of Sweet Home and the City at every step. We are now at the end and it was clearly the time for something to happen with that property. Commissioner Nyquist proposed that the County enter into an agreement with the City of Sweet Home to give them an option for a limited amount of time to pay the County what they had invested into the property and to sell it. After the time limit was up, the County would then take action. We can only keep what we are in for as the rest of the money goes to the taxing districts. Commissioner Lindsey stated "so moved". A lengthy discussion followed regarding the right-of-way and the ponds.

Commissioner Nyquist recommended that the County negotiate an option with the City of Sweet Home for a time limit (one year); and, that they pay the County back what was put into the property and sell the property at that price which would include the ponds. He asked that Mr. Williams come up with the dollar amount that the County had put into the properties. The Board did not have to take any formal action today but they were at a point of consensus.

Mr. Wyatt recommended that County Attorney start an option agreement.

Commissioner Nyquist stated, for the record, that the bid for Account Nos. 239471, 240222 and 258257 for \$1,000 was declined. Reporter, Alex Paul, asked who the bidder was and Mr. Karandy stated it was public information so it was noted that the bidder was Joshua Victor.

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

11. Special Orders:

A. Personnel Action Forms were read into the record for: Stephen Newman (Health IT); Deborah Hernandez, Amanda Hewson and Robert Mink (Juvenile Detention) and Christopher Broadbent (Mental Health).

**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 2019-403 amending a classification for Commissioners' Senior Administrative Assistant and changing the salary range from 13 to 14 (Management/Exempt).

**Action Taken Below.**

C. Resolution & Order 2020-023 amending a classification for Commissioners' Administrative Assistant and changing the salary range from 11 to 12 (Management/Exempt).

**Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Orders 2019-403 and 2020-023. The vote was called. The motion was passed 2-1. Commissioner Tucker voted in opposition.**

12. Unfinished Business and General Orders:

A. Calendar Update: The Commissioners updated their calendars.

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.

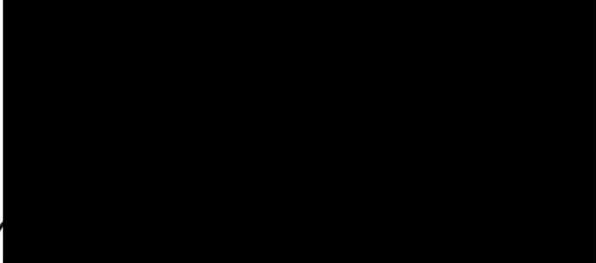
Commissioner Tucker noted that Item No. 7 was skipped and that Randy Porter, Linn County Fair and Expo Director, did not appear. It was determined that this item would be rescheduled for Tuesday, January 28, 2020.

16. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 10:05 a.m. by unanimous consent.

The next regular public meeting of the Board of Commissioners is scheduled for 9:30 a.m. on Tuesday, January 28, 2020.

  
Recorder  
For Board of Commissioners  
Marsha Meyer

**LINN COUNTY BOARD OF COMMISSIONERS**

William C. Tucker, Commissioner

Date 2-4-2020