



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

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

Those present at various times for the matters as indicated below were: Wayne Mink, Operations Manager, Linn County Road Department; Chuck Knoll, Engineer, Linn County Road Department; Doug Marteeny, Linn County District Attorney; Randy Porter, Linn County Fair and Expo Center Director; Elaine Howard, Elaine Howard Consulting; Matt Apken, Finance Director, City of Lebanon; audience members attending for the Bid Opening; 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, Ralph Wyatt, Linn County Administrative Officer and Marsha Meyer, Recorder for the Board of Commissioners.

*After roll call, Commissioner Lindsey left the Board meeting for a brief moment.*

4. Approval of Agenda.

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

5. Approval of the July 14, 2020 Commissioners' Meeting Minutes.

**Action – Commissioner Tucker moved to approve the July 14, 2020 Commissioners' Meeting Minutes. The vote was called. The motion passed.**

*Commissioner Lindsey returned to the Board meeting.*

6. Road Department – Darrin Lane, Linn County Roadmaster.

Wayne Mink, Operations Manager, Linn County Road Department, appeared in place of Mr. Lane.

A. Bid Opening – 2020 Overlays Project.

Mr. Mink opened the sealed bids and Chuck Knoll, Engineer, Linn County Road Department, read the bids into the record as follows:

1. Wildish – Eugene - \$720,626
2. North Santiam Paving – Stayton - \$766,892
3. Knife River – Tangent - \$782,358.48

Mr. Knoll stated that his office would review the bids and return before the Board with a bid recommendation.

7. Presentation – Doug Marteeny, Linn County District Attorney.

Mr. Marteeny stated that he was not going to be able to attend the retirement reception for Mr. Wyatt (*which has since been postponed to a later date*) but wanted to say a few words regarding his time working with Mr. Wyatt.

Mr. Marteeny stated that, as the District Attorney, he wanted to public thank Mr. Wyatt on behalf of the Office of the District Attorney. He stated that, when he first took office, he used it as an opportunity to make some changes within his office which were very delicate in nature. Mr. Wyatt walked with him through the legalities, County codes but, most importantly, the human factors of that very delicate situation. Mr. Marteeny stated that Mr. Wyatt has been a steady presence for the elected officials; we need a Ralph Wyatt. He appreciated how Mr. Wyatt gets the best performance out of everyone by trusting people which, ultimately, makes them accountable and brings out motivation. Mr. Marteeny then handed Mr. Wyatt a token of appreciate and told him thank you.

Commissioner Nyquist thanked Mr. Marteeny for seeking out Mr. Wyatt as a resource in his early days as District Attorney; he had the greatest back stop of all time.

Commissioner Tucker recommended, since Mr. Marteeny was present, that the Board move to Agenda Item No. 10 – Correspondence. He asked Mr. Marteeny to give his input regarding the Criminal Justice Reinvestment Grant Application for 2020-21.

Mr. Marteeny stated that he and the Sheriff have had lively debates and they are very opposed to the downward departure incentive program of the grant. He stated that they were out voted by one vote but that he respects the vote. He stated the vote was for a two-year test trial to see how it worked; this was the second year so, in order to give validity to that initial vote, he stated that he agreed that it should be signed and recommended the Board do so. Mr. Marteeny did ask, and he believes the Sheriff would also agree, that the downward departure portion of that program should be revisited. In regard to the re-entry portion of the program, Mr. Marteeny stated that everyone in the room was an advocate for that program.

**Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the Criminal Justice Reinvestment Grant. The vote was called. The motion passed unanimously.**

#### 8. Reports of Staff and Committees:

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

Mr. Porter first thanked Mr. Wyatt for all his help and guidance over the years. He then provided a Fair/Expo Financial Report for the month of June, 2020. A copy of his report is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Mr. Porter stated that the finances hadn't changed since last month and that his department finished the fiscal year \$277,000 short in revenue; had almost \$20,000 left in Materials and Services and turned back \$273,000 in personnel. Commissioner Tucker thanked Mr. Porter for taking the time to look at the workload; balance their staffing needs in order to under-spend the way Mr. Porter did. You still kept your employees busy and kept the customers satisfied while remodeling the facility during the slow time. Mr. Porter stated that he had held off hiring for two open positions at this time.

Commissioner Nyquist mentioned that there was a struggle in getting next year's school year started due to social distancing in classrooms. He asked Mr. Porter what the square footage was of the entire Fair and Expo Center which he indicated was about 70,000 square feet. Commissioner Nyquist asked Mr. Porter, theoretically, if there was any reason why the Greater Albany Public School District (GAPS) couldn't use the facility in September, 2020. Mr. Porter replied that there was a potential home show scheduled for late September and, as far as he knew, they still planned to go forward

with the event but, after that event, there was nothing scheduled until the first of November, 2020.

Commissioner Nyquist asked if the Board would be okay with him making the overture to GAPS. The Board agreed. Commissioner Lindsey stated the Fair and Expo Center would be a great place for schools to be able to have P.E. classes given the large open areas they could use.

B. Resolution & Order 2020-221 approving a Contract for Alcohol Services between Linn County and Oregon Beverage Services aka Unruh Management and Consulting.

Mr. Porter stated that this was approving a two-year contract with six one-year renewable clause with Oregon Beverage. He stated that they have done a good job and would like to see the Board approve the contract.

**Action - Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-221.**

Commissioner Tucker stated that Mr. Unruh had done a great job and revenues have increased since they have taken over the contract. His teams are always well trained and do a good job of monitoring.

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

9. City of Lebanon proposed Urban Renewal Plan and Report – Elaine Howard, Elaine Howard Consulting and Matt Apken, Finance Director, City of Lebanon.

Elaine Howard stated that statutes required that the City to come before the Board and brief them on a potential new Urban Renewal Plan including the maximum indebtedness of the plan. She stated that Matt Apken was also present to answer any questions the Board may have.

She stated that this specific plan was for a single development urban renewal area of 51.45 acres and was a short-term urban renewal area expected to go only to fiscal year-end 2028. This is tied to an economic development agreement that the City of Lebanon signed with the developer of the property that actually gives a rebate back to the developer for property taxes paid. It is only triggered once the development actually occurs and property taxes are paid. At that point, a portion of the property taxes go back to the developer to reimburse for infrastructure constructed to allow the development to occur. Ms. Howard stated that this did not change the amount of acreage that the City of Lebanon had in urban renewal; it just shifts it from one district to another district.

Ms. Howard stated that the actual maximum indebtedness stipulated in the proposed plan was \$9,652,364 and tied to the economic development agreement. She anticipated that the actual maximum indebtedness would be much less because the development timeframe was smaller than the amount that was negotiated when the economic development agreement was passed.

Ms. Howard stated that the amount of property tax paid on this specific development was very low so enticing development to happen on that property and putting it on the tax rolls after fiscal year-end 2028 would be a benefit to all taxing jurisdictions. They will get more property taxes than they are right now which is under \$1,000 a year on that property. She stated that there would be no impacts on bonds or local option levies but only on permanent rate levies. School districts and educational services districts are impacted indirectly as those funds go to the State school fund which is comprised of other sources in addition to the permanent property tax rates.

Ms. Howard then asked the Board if they had any questions.

Commissioner Tucker stated that the thing he liked about Lebanon's Urban Renewal Districts is that they put in infrastructure and do things that result in a higher value of property sales and higher valued structures being built such as the veteran's home. He stated that, although the Board did not have a vote on this matter, he would ask that the Board support this new district.

**Action – Commissioner Tucker moved to support the new Lebanon district.**

Commissioner Lindsey stated that with this development being in a residential area he wanted to know if a traffic light was being added in the project and, if not, he would like to see that somewhere in the project. Discussion followed. Commissioner Tucker stated that that was not the issue before the Board but, instead, whether the Board supported this new district.

**Commissioner Lindsey seconded the motion.**

Chuck Knoll, Engineer, Linn County Road Department, asked if he could get a copy of the Urban Renewal Plan as there are grant opportunities available. Ms. Howard stated that she would make sure Mr. Apken let Ron Whitlatch, Engineer, City of Lebanon know about the grants.

Commissioner Nyquist stated that there had been substantial discussion. He stated that voting to support an urban renewal project was unusual.

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

10. Correspondence:

A. Letter dated July 21, 2020 to the Criminal Justice Commission recommending the approval of the 2020-21 Justice Reinvestment Grant Application. *(This item was heard and voted on at the end of Item No. 7).*

Commissioner Nyquist stated that he had a correspondence opportunity of the OSHA Rulemaking for food processing and that the Board only had until Thursday, July 23, 2020 to respond. He stated that, although he did not have the technical details as to what the rule ought to be, he did know that the workplace communication of the virus in food processing was amongst the state's biggest challenges and that seven or eight of the largest ten outbreaks in the state were food processing related. In order to get an effective ruling that worked, you have to have a robust process that is timely and ground tested. People in the workplace that have to enforce these rules have to have input and tell rule makers whether or not it would work. We want the same thing; for Oregonians to be safe, a supply of food and good processors to be able to execute the rules.

Commissioner Nyquist stated that what was troubling to him was using a temporary rule process to then convert into a permanent rule without any robust conversation about ground testing and how it would work; it has to be part of the process. He stated that he was not, generally, in favor about writing letters that are technical in nature and which has no expertise but, in this case, the areas that focus on the process we do have expertise. Commissioner Nyquist stated that he would be in complete support of the Board signing their names on the draft letter dated July 20, 2020 to Michael Wood, Administrator, Oregon Occupational Safety and Health Department (OSHA).

**Action – Commissioner Nyquist moved and Commissioner Tucker seconded the motion to sign the letter supporting the rulemaking.**

Commissioner Tucker stated that he had written to Administrator Wood when there was the outbreak with National Frozen Foods. When they were trying to meet the criteria, they were fined and shut down for a couple of weeks. Commissioners Tucker and Nyquist stated they found that to be in poor form.

Commissioner Tucker stated that he believed AOC (Association of Oregon Counties) had picked the right topic and that the Board should support AOC in sending their recommended letter to OSHA. Commissioner Lindsey stated that he supported the letter but that he would also send an email to AOC to explain that just as they do temporary rules they should also temporarily suspend all fines which are counter-productive. Discussion followed.

The Recorder asked if the Board wanted her to place their response on County letterhead or just scan the Board's signatures. Commissioner Nyquist recommended that she contact AOC to see how they wanted the Board to respond.

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

11. Special Orders:

A. Personnel Action Forms were read into the record for: Joanna Means (Developmental Disabilities); Ralph Wyatt (General Administration); Rachel Adamec (General Services); Holly Simpson (Juvenile); Levi Ferebee and Floretta Morris (Parks and Recreation).

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

Commissioner Nyquist stated, for the record, that the Board had approved a Personnel Action Form for Darrin Lane last week to become the new Linn County Administrative Officer starting August 1, 2020 and was announcing it publicly today. In addition, the Board intended to name Wayne Mink as the new Linn County Roadmaster. Commissioner Nyquist stated that Mr. Mink, who was in the audience, had been with Linn County for 21 years and has earned this opportunity. The Board looked forward to working with him in that new roll.

B. Personnel Action Forms – Cost of Living Adjustment for SEIU and Juvenile Detention Association.

**Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to accept the Cost of Living Adjustments into the record as Exhibit 1 for OPEU/SEIU and Juvenile Detention. The COLA'S would result in an increase of 4.66 percent for the OPEU/SEIU employees and a pay increase of 4 percent for Juvenile Detention. The vote was called. The motion passed unanimously.**

C. Order 2020-218 adopting the Linn County Pay Plans for Fiscal Year 2020-2021.

**Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the Linn County Pay Plans for Fiscal Year 2020-2021. The vote was called. The motion passed unanimously.**

## 12. Unfinished Business and General Orders:

A. Calendar Update: The Commissioners updated their calendars.

## 13. New Business:

Commissioner Nyquist stated that he had an initial conversation with Rebecca Grizzle, Executive Director, City of Lebanon Chamber of Commerce about doing some small business outreach to leverage the Small Business Administration (SBA) programs that are available; specifically, the Payroll Protection Program (PPP) and the Economic Injury Disaster Loan (EIDL). As the COVID-19 crisis drags on, it becomes more and more imperative that small businesses get the opportunity and understands these programs. He stated that Ms. Grizzle had submitted an invoice without the details and no correlation with the amount on the invoice. Commissioner Nyquist stated that he had also talked with Janet Steele, Executive Director, Albany Chamber of Commerce and she sent him a proposal that both chambers would set up a one-stop small business assistance program at their chamber offices for SBA loans. He stated that the federal government was talking about a COVID-4 relief plan to get the money out the door for PPP and other assistance programs that have not been utilized.

Commissioner Nyquist stated that the \$1.4 billion dollars from the federal government that came to the State had been negotiated and the State had seeded that the money passing through to the Counties could be used for economic development activity if it met the federal requirements.

Commissioner Nyquist asked, if it pleased the Board, he would agree continue to work with both Chambers to connect the dots for the businesses. He stated that one of the requirements was that the money and the services be out the door by the end of December, 2020. Although the challenges will likely go on beyond that, anyone we are contracting with or funding will start as early as the first of August, 2020. Commissioner Lindsey stated he wanted to see the written proposal beforehand and Commissioner Tucker agreed.

Commissioner Tucker also stated that he, conceptually, supported the idea of programs and goals. He stated that he didn't want to just have those two chambers involved and would like to see it include the cities of Brownsville, Sweet Home and the communities such as Shedd and Harrisburg businesses and that it be a Linn County-wide resource. Commissioner Lindsey asked about the Sweet Home Chamber and Commissioner Nyquist clarified that the money would go to the Lebanon and Albany Chambers and they would be responsible for involving the other communities. Commissioner Tucker and Lindsey agreed.

14. Announcements: There were no announcements.

Commissioner Nyquist noted that there had been a bad incident, yesterday, Monday, July 20, 2020 at Linn County Lewis Creek Park and the families and victims were in their thoughts and prayers for a full recovery for the littles boys hurt; it is tragic.

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; the Board of Commissioners meeting was adjourned at 10:17 a.m. by unanimous consent.

The next regular public meeting of the Board of Commissioners is scheduled for 9:00 a.m. on Tuesday, July 28, 2020.

  
\_\_\_\_\_, Recorder  
For Board of Commissioners  
Marsha Meyer

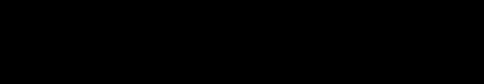
**LINN COUNTY BOARD OF COMMISSIONERS**



Roger Nyquist, Chairman



John K. Lindsey, Commissioner



William C. Tucker, Commissioner

Date 7-20-2020