



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
TUESDAY MEETING
LINN COUNTY COURTHOUSE – ROOM 200
JUNE 9, 2020**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, June 9, 2020.

Those present at various times for the matters as indicated below were: Jim Yon, Linn County Sheriff; Captain Ted Langley, Corrections Division, Linn County Sheriff's Office; Robert Wheeldon, Linn County Planning and Building Director; Todd Noble, Linn County Health Services Administrator; Mark Volmert, Linn County Special/Rural Transportation Coordinator, *via telephone conferencing*; Darrin Lane, Linn County Roadmaster; Michelle Hawkins, Linn County Treasurer; Russ Williams, Linn County General Services and Property Management Director; Rachel Adamec, Office Specialist/Property Management, Linn County General Services; Jodi Gollehon, Deputy County Attorney for Linn County; Mellissa Barnard; Jami Cate; Rebecca Grizzle; Sherry Sprenger; Karen Liot Hall 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.

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 June 2, 2020 Commissioners' Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the June 2, 2020 Commissioners’ Meeting Minutes. The vote was called. The motion passed unanimously.

6. Sheriff’s Office – Captain Ted Langley, Corrections Division, Linn County Sheriff’s Office.

A. Resolution & Order 2020-176 authorizing the publication and distribution of the Request for Proposals for Food and Commissary Services for the Linn County Sheriff’s Office Corrections Facility.

Captain Langley provided the Board with background information regarding this item. He stated that Aramark has provided the food and commissary services since 2013 and, although they have done a great job, it was time to issue an RFP to look at other options.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-176. The vote was called. The motion passed unanimously.

7. Reports of Staff and Committees:

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

Mr. Wheeldon stated that, even with the COVID-19 situation, his department’s revenue was strong and would be on track to meet budget. He stated that there was a slight decrease in the number of applications.

Next, Mr. Wheeldon stated that there were no Planning Commission hearings to come before the Board in June, 2020. The next Commission meeting is scheduled for July 14, 2020 and there are three land use hearings; Scio Organics has two applications and Northrock, Inc. has an application to expand their quarry.

Mr. Wheeldon stated that last month they held the Planning Commission meetings remotely and it went well, however, due to the upcoming hearings, there may be too many people so he does not want to hold those hearings remotely. Commissioner Lindsey recommended that Mr. Wheeldon hold the Planning Commission meetings at Linn County Fair and Expo Center. Commissioner Nyquist agreed and suggested that Mr. Wheeldon call Randy Porter, Fair and Expo Director, to see about getting the hearings scheduled at the Fair/Expo to comply with social distancing requirements. Commissioner Nyquist expressed his concerns about holding Zoom meetings or meetings telephonically where a body is making or deliberating decisions; it may be

stretching the intent of Oregon's Public Meeting Laws and he would prefer not to do that if they don't have too. He stated that it would be good to have Zoom available for those who aren't comfortable participating in person. Commissioner Nyquist stated it was important to have a quorum in the room. Commissioner Lindsey stated that he was opposed to Zoom meetings when making decisions. Discussion followed.

Commissioner Nyquist asked Mr. Wheeldon what the turn-around time was for people making applications and getting a response. Mr. Wheeldon replied it was good; plans are getting out and they were able to do all the inspections daily.

8. Health Department – Todd Noble, Linn County Health Services Administrator.

A. Resolution & Order 2020-123 approving an Intergovernmental Agreement between the State of Oregon Department of Corrections and Linn County.

Mr. Noble provided background information regarding this matter.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-123. The vote was called. The motion passed unanimously.

9. Special Transportation – Mark Volmert, Linn County Special/Rural Transportation Coordinator – *via telephone conferencing*.

Mr. Volmert provided information regarding the following items:

A. Resolution & Order 2020-154 approving a Grant Agreement (Contract No. 34204) between Linn County and the Rail and Public Transit Division for the Oregon Department of Transportation and delegating authority to execute originals.

Action Taken Below.

B. Resolution & Order 2020-159 approving a Subrecipient Agreement for general transportation services between Senior Citizens of Sweet Home, Inc. dba Sweet Home Senior Center/Linn Shuttle and Linn County.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Orders 2020-154 and 159.

Commissioner Nyquist asked Mr. Volmert about additional payroll tax revenue coming to the transit system. Mr. Volmert stated that that would continue. Commissioner Nyquist stated that the system was "flush" with revenue and Mr. Volmert agreed. Mr. Volmert provided additional information and discussion followed.

The vote was called. The motion passed unanimously.

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

A. Resolution & Order 2020-165 establishing size, weight and restrictions on Linn County roads and bridges.

Commissioner Tucker stated that he was concerned about Fish Hatchery Drive and Richardson Gap Road but it is was weight restricted bridges and it's a challenge. Mr. Lane stated those were not something they do on a discretionary basis; they were based on load ratings performed in an engineering analysis. Commissioner Tucker thanked Mr. Lane for the work that went into the report.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-165. The vote was called. The motion passed unanimously.

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

Ms. Hawkins stated that the following items were getting funds in line for payroll and the end of the year.

A. Order 2020-169 approving a transfer of certain appropriations within the General Fund, \$22,100.

Action Taken Below.

B. Order 2020-170 approving a transfer of certain appropriations within the Road Fund, \$41,000.

Action Taken Below.

C. Order 2020-172 accepting an expenditure of a certain grant within the General Fund, \$200,000.

Action Taken Below.

D. Order 2020-177 approving a transfer of certain appropriations within the Grants Fund, \$30,000.

Action Taken Below.

E. Order 2020-178 accepting an expenditure of a certain grant within the Grants Fund, \$12,000.

Action Taken Below.

F. Order 2020-179 accepting an expenditure of a certain grant within the Law Library Fund, \$600.

Action Taken Below.

G. Order 2020-181 approving a transfer of certain appropriations within the Health Fund, \$52,000.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Orders 2020-169, 170, 172, 177, 178, 179 and 181.

Commissioner Nyquist asked Ms. Hawkins if she was anticipating or seeing any late activity in the budget year relating to COVID-19 on expenses and revenues that needed to be addressed. Ms. Hawkins stated there were appropriations in place to take care of any COVID-19 expenses. She stated that she did need to have a conversation with Ralph Wyatt, Linn County Administrative Officer and Commissioner Nyquist to discuss how to set it up going into the next fiscal year.

The vote was called. The motion passed unanimously.

Commissioner Nyquist then asked Ms. Hawkins whether or not they had added a contingency revenue number to the Health Department to deal with COVID-19 and Ms. Hawkins stated, yes, the amount was \$2.6 million and it was done in the General Fund Non-Departmental to accept the money and then give to the Health Department as they use it. Discussion followed.

Commissioner Nyquist then asked a process question. He stated the Governor came out with Phase 2 guidance last week which made it clear to the Fair Board that there was a way to hold a 4-H livestock show and auction. The folks at OSU Extension are not favorable on this idea and he asked Ms. Hawkins where in the process the County was with the 4-H and Extension Service District's budget. Ms. Hawkins stated that the budget adoption would be on June 30, 2020 for final approval. Discussion followed.

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

A. Bid Opening – General Services Building Re-Roofing Project.

Mr. Williams stated that he had received four bids for the re-roofing of the General Services building. Commissioner Nyquist asked if this was the same project the Board received bids on before and was doing over; Mr. Williams stated yes. He then handed a tally sheet to each Board member and opened the bids and read them into the record as follows:

1. ABC Roofing, LLC – Portland, Oregon - \$174,620; the alternative bid for the Fleet Building was for \$22,210;

2. J.R. Swigart Co. – Pasco, WA - \$187,000; alternative bid was \$29,000;
3. McDonald & Wetle, Inc. – Portland, Oregon - \$218,000; alternative bid was \$33,000 (Mr. Williams stated that this firm was currently re-roofing the Courthouse and they have been a great contractor to work with; Commissioner Tucker agreed);
4. Snyder Roofing – Tigard, Oregon - \$192,612; alternative bid was \$26,309.

There was discussion regarding these bids and how they compared to the last bid opening. Mr. Williams stated that these bids were higher than what had been budgeted for the project. Commissioner Nyquist asked what the time constraints were for this project and Mr. Williams stated six months. Commissioner Nyquist recommended that Mr. Williams review the bids then come back before the Board with a recommendation. He mentioned that there were no local companies bidding. Discussion followed.

B. Resolution & Order 2020-146 approving the sale of tax foreclosed property by private sale.

Rachel Adamec informed the Board that this item conveyed a property that the Board received a sealed bid for and accepted on Tuesday, April 28, 2020.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-146. The vote was called. The motion passed unanimously.

C. Continued discussion of a Purchase Agreement for the Lyons Mill Site property (*Continued from Tuesday, June 2, 2020*) – Jodi Gollehon, Deputy County Attorney for Linn County.

Ms. Gollehon stated that the purchaser's attorney wanted to appear before the Board today but he was out ill.

Commissioner Nyquist asked if the purchaser was going to buy the property or not. Ms. Gollehon stated that her understanding was that the purchaser had every intention to purchase the property but wanted to enter a Proposed Purchase Agreement (PPA) with the Department of Environmental Quality (DEQ) and, according to their lawyer, they need a Phase 2 test do so.

Ms. Gollehon stated that Ms. Adamec had a telephone conversation this morning with DEQ. Ms. Adamec stated that the purchaser and DEQ have a meeting scheduled this afternoon to talk about the agreement and that the process may take up to 8-10 months; the deadline to pay the 90 percent amount due would be before that. Discussion followed.

Commissioner Tucker stated that he would be willing to let the purchaser do a Phase 2 study; we have their 10 percent and deposit and they are a willing buyer who wants to be protected as they go forward. Ms. Gollehon stated that the purchaser has been cooperative and there had been no indication that this was a way for them to get out of the deal. Commissioner Lindsey stated that the County has a good buyer and, if they allow a Phase 2 study, the agreement would have to be very specific on the requirements. Ms. Gollehon stated that after the purchaser has

their meeting with DEQ this afternoon, they may decide to drop the request for a Phase 2 study and/or a PPA. Discussion continued.

Commissioner Tucker stated that Ms. Gollehon needed a consensus from the Board to move forward with this matter and he recommended the Board consider allowing the purchaser to enter into a Phase 2 for the property. Commissioner Lindsey stated he wanted to see how the meeting with DEQ went today and Ms. Gollehon asked if the Board wanted to wait a week.

Mr. Williams recommended that the Board allow the purchaser to enter into a PPA. Commissioner Nyquist again asked if the buyer had purchased the property and Ms. Gollehon stated no and Commissioner Tucker stated they have not paid the 90 percent due. Ms. Gollehon stated the Board gave them until Thursday, November 5, 2020.

Commissioner Nyquist stated that he did not participate in the decision to award the bid but he was concerned that the purchaser was changing the terms of the deal after the deal. He was also concerned, if there were other bidders, should they have been given the same opportunity. Ms. Gollehon stated that her office was working on a policy for these types of sales so there was a standardized process. Ms. Adamec confirmed that there were two other bidders.

Commissioner Nyquist then asked Mr. Wyatt's opinion on the matter. Mr. Wyatt stated that he was interested in what the expectation was after the purchaser's meeting with DEQ this afternoon. Mr. Wyatt stated that the Board did not need to make a decision today and recommended they wait until the purchaser knows what they are facing; they may drop their request. Commissioner Nyquist stated that it was his sentiment that the Board not to take any action on this matter today.

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

14. Special Orders:

A. Personnel Action Forms were read into the record for: Darrell Johnson and Dana Spade (Alcohol & Drug); Michael Thomas (Developmental Disabilities); Auae Beidler and Karen Dunning (Health Services Administration); Rebecca Ogbin and Michael Walker (Juvenile Detention); Tina Corey, Wendy Hull, Sarah Mason, Suzanne Walls and Jay Wung (Mental Health) and Katrica Bosworth and Redeem Oreilly (Public 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 2020-156 approving a Personal Services Contract between Calapooia Employee Assistance (EAP) and Linn County.

Mr. Wyatt provided information regarding this contract and recommended approval.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-156. The vote was called. The motion passed unanimously.

C. Resolution 2020-160 reappointing members to the list of pools from which Linn County Board of Property Tax Appeals members are selected.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution 2020-160. The vote was called. The motion passed unanimously.

D. Resolution 2020-161 appointment of a Linn County Budget Officer.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to appoint Michelle Hawkins, Linn County Treasurer as Linn County’s Budget Officer. The vote was called. The motion passed unanimously.

E. Resolution & Order 2020-183 approving an Intergovernmental Agreement between City of Sweet Home and Linn County.

Commissioner Lindsey stated that this was a Community Block Development Grant and Commissioner Tucker stated that it did not require any funding from the County.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-183. The vote was called. The motion passed unanimously.

15. Unfinished Business and General Orders:

A. Calendar Update: The Commissioners updated their calendars. Commissioner Tucker stated that the Board would be attending a tour of the Samaritan Treatment and Recovery Services (STARS) facility on Friday, June 12, 2020.

16. New Business: Commissioner Nyquist combined this Item with Item No. 17 – Announcements.

17. Announcements: Commissioner Nyquist stated that the Board was in an agreement with the City of Lebanon for RV space should the City come down with a positive COVID-19 test in the homeless community. Commissioner Tucker stated that the County purchased a trailer for isolation/quarantine and, at this time, he was unaware where the RV would be placed in Lebanon.

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 10:23 a.m. by unanimous consent.

The next regular public meeting of the Board of Commissioners is scheduled for 9:00 a.m. on Tuesday, June 16, 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 6-23-2020