



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
TUESDAY MEETING
LINN COUNTY COURTHOUSE – ROOM 200
MARCH 12, 2019**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, March 12, 2019.

Those present at various times for the matters as indicated below were: Brian Carroll, Linn County Parks & Recreation Director; Robert Wheeldon, Linn County Planning and Building Director; Russ Williams, Linn County General Services/Property Management Director; Darrin Lane, Linn County Roadmaster; Kevin Hamilton, Construction Road Maintenance Supervisor, Linn County Road Department; Tanya Thompson, Mental Health Program Manager, Linn County Health Department; Bill Palmer, Linn County Accounting Officer; several audience members attending for the Bid Opening; Tom Cordier; Rich Kellum; Alan Kwan and Alex Paul, Reporter for the *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 February 26, 2019 and March 5, 2019 Commissioners' Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the February 26, 2019 and March 5, 2019 Commissioners' Meeting Minutes. The vote was called. The motion passed unanimously.

6. Parks Department – Brian Carroll, Linn County Parks and Recreation Director.

A. Sealed Bid Opening – Stayton Bridge Boat Ramp Construction Project.

Mr. Carroll provided the Board with information regarding this project and then opened the sealed bids and announced the bid amounts for the record:

1. Knife River Corporation NW - \$246,383.78
2. Oregon State Bridge Construction, Inc. - \$282,525.00
3. North Santiam Paving Co. - \$262,505.00
4. Legacy Contracting, Inc. - \$199,968.00

Mr. Carroll stated that the estimated bid was \$196,000. Commissioner Tucker recommended that Mr. Carroll review the bids and come back before the Board with the bid award. Mr. Carroll agreed.

7. Reports of Staff and Committees:

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

Mr. Wheeldon reviewed his Planning Update for the month of February, 2019 and indicated, in summary, that this fiscal year the department's workload had increased but there had been a decrease in revenue; down six percent. A copy of his report is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Commissioner Nyquist asked Mr. Wheeldon what had changed in regard to the revenue difference and Mr. Wheeldon stated that last year there were more lumber manufacturing such as Freres Lumber, as well as, grass seed warehouses that drove the numbers.

Next, Mr. Wheeldon stated that the Planning Commission would be having a public meeting tonight, Tuesday, March 12, 2019, regarding a land use matter that is an appeal of the Director's decision of the validation of a unit of land to lawfully be established. He provided additional information regarding the appeal. Mr. Wheeldon then stated that the Board would reconvene a public hearing on Tuesday, March 19, 2019 regarding Mount Pleasant Church. He then stated that the Applicant had withdrawn their entire application and was going to start the process over by preparing better design plans.

Mr. Wheeldon informed the Board that the City of Albany filed an Intent to Appeal with the Land Use Board of Appeals (LUBA) and Virgle Reynolds also filed an Intent to Appeal with LUBA.

Commissioner Nyquist asked Mr. Wheeldon about the lower fee that was given to Mr. Reynolds. Mr. Wheeldon stated that the initial appeal fee for the land use decision was \$250 and because it was pushed to the Planning Commission it was considered an original appeal and, therefore, he was not charged the \$2,000 fee.

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

A. Resolution & Order 2019-072 authorizing the publication and distribution of the invitation to bid for the 2019 Washington Street Building Re-Roof Project.

Commissioner Nyquist asked when the last time the roof had been replaced and Mr. Williams replied that it had been 20-25 years; the roof has been leaking and the foundation had already had to be repaired.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2019-072. The vote was called. The motion passed unanimously.

9. Road Department – Kevin Hamilton, Construction Road Maintenance Supervisory, Linn County Road Department.

A. Resolution & Order 2019-069 delegating authority to the Roadmaster to execute a purchase of supplies contract with **Western Emulsions, Inc.**

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2019-069. The vote was called. The motion passed unanimously.

B. Resolution & Order 2019-070 delegating authority to the Roadmaster to execute a purchase of supplies contract with **Sierra Santa Fe Corporation.**

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2019-070. The vote was called. The motion passed unanimously.

C. Resolution 2019-073 delegating authority to Darrin L. Lane, Roadmaster, to purchase two self-propelled sweepers.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution 2019-073. The vote was called. The motion passed unanimously.

10. Health Department – Tanya Thompson, Mental Health Program Manager, Linn County Health Department. Ms. Thompson had not arrived at the time this item was heard by the Board. Ralph Wyatt, Linn County Administrative Officer, provided background information on her behalf.

A. Resolution & Order 2019-074 approving a Personal Services Contract between Northwest Permanente, P.C. and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2019-074. The vote was called. The motion passed unanimously.

11. Correspondence: There was no correspondence to come before the Board, however, Commissioner Nyquist did state that the Board had finalized a letter to be sent to U.S. Senators Ron Wyden and Jeff Merkley and U.S. Representative Peter DeFazio regarding the Army Corps of Engineers' changes to the wetland fill permit process. It will be mailed today.

12. Special Orders:

A. Personnel Action Forms were read into the record for: Greta Frey (Environmental Health); George Fox (General Services); Eric Chytka, Kenneth Mackie, Richard Maddox and Anna Mytko (Mental Health); Seana Humble and Christie Jackson (Public Health); Joshua Slayton (Parks & Recreation) and Parker Leigh (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 2019-068 approving an Amendment to a Personal Services Contract for auditing services between Pauly, Rogers and Co., P.C. and Linn County.

Mr. Wyatt explained that this contract was for three years with a 2 and a quarter percent (2.25%) increase each year.

Commissioner Nyquist asked how long Pauly, Rogers and Co. had been with the County and whether or not another three years was appropriate. Mr. Wyatt stated that he would not have recommended them if he did not believe it would be appropriate to continue their contract. They have been the County auditor for six years; plus the next three years should the Board approve this contract.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2019-068. The vote was called. The motion passed unanimously.

C. Resolution & Order 2019-078 approving the Undertaking for Justice of the Peace Pro Tempore for Justice of the Peace District 4A: Forrest Reid.

Action Taken Below.

D. Resolution & Order 2019-079 approving the Undertaking for Justice of the Peace Pro Tempore for Justice of the Peace District 4A: John Kennedy III.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Orders 2019-078 and 079. The vote was called. The motion passed unanimously.

13. Unfinished Business and General Orders:

A. Calendar Update: The Commissioners updated their calendars. Commissioner Nyquist stated that he had a meeting today, March 12, 2019, with Albany-Millersburg Economic Development Corp. (AMEDC) and Linn Economic Development Group (LEDG) on the Millersburg Reload Project. Commissioner Lindsey asked when the next Oregon Transportation Commission (OTC) meeting was scheduled and Commissioner Nyquist stated that it would be in a couple of weeks. Commissioner Tucker stated that he would like to attend if Commissioner Nyquist was unable to or attend as well. He stated that there were questions about the spirit of the conversations that have taken place. Commissioner Nyquist stated that, if the project was not approved, it would go back into the Connect Oregon pot of money. Commissioner Tucker asked if the Board would be okay with him reaching out to the Governor's Solution Team. Commissioner Nyquist agreed.

14. New Business: Commissioner Tucker stated that a person from the 2020 Census would like to meet with the Board. He stated that he told the person that the Board would only allow a ten minute presentation during the Board meeting instead of meeting with each Board member individually. Commissioner Lindsey agreed. Commissioner Tucker stated that he believed the Board needed to support the census in order for it to be right. Commissioner Tucker stated and Commissioner Lindsey agreed that there was one important and specific question that they both would like to make sure was part of the Census questionnaire. Commissioner Nyquist agreed to have the presentation scheduled before the Board.

15. Announcements: There were no announcements.

16. Business from the Public (3 minute limit per speaker): Rich Kellum, speaking as a private citizen, updated the Board stating that the parking enforcer who had been seen speeding on the sidewalks with his scooter was now riding a three-wheeler which requires that he drive on the street. If he is caught speeding, he will be given a ticket from the Albany Police Department.

Next, Commissioner Nyquist recognized Tom Cordier, Albany citizen, who came before the Board to ask their help regarding "cap and trade". He stated that we are at war politically and what was happening in the Oregon Legislature was a disaster. He asked that the Board step up as they are the link to the legislature and could influence the Representatives; it's time to use the "nuclear option" to stop the "train" that is coming down from Salem. A lengthy discussion followed.

17. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 10:22 a.m. by unanimous consent.

The next regular public meeting of the Board of Commissioners is scheduled for Tuesday, Tuesday and Wednesday, March 19 and 20, 2019.

[REDACTED], Recorder
For Board of Commissioners
Marsha Meyer

LINN COUNTY BOARD OF COMMISSIONERS

[REDACTED]

Roger Nyquist, Chairman

[REDACTED]

John K. Lindsey, Commissioner

[REDACTED]

William C. Tucker, Commissioner

Date 3-19-2019