



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
TUESDAY AND WEDNESDAY MEETING
LINN COUNTY COURTHOUSE – ROOM 200
MARCH 19 AND 20, 2019**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, March 19, 2019.

Those present at various times for the matters as indicated below were: Randy Porter, Linn County Fair and Expo Director; Brian Carroll, Linn County Parks and Recreation Director; Chuck Knoll, Engineer, Linn County Road Department; Russ Williams, Linn County General Services/Property Management Director; Alyssa Schrems, Assistant Planner, Linn County Planning and Building Department; Mark Volmert, Linn County Special/Rural Transportation Coordinator; Barry Hoffman, City of Albany Transit Programs Supervisor; Timothy McQueary, Chair, Linn County Transportation Advisory Committee; 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 Heather Gravelle, Recorder for the Board of Commissioners.

4. Approval of Agenda. Commissioner Tucker noted that the agenda had been revised to include an Executive Session after Item 13.

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

5. Approval of the March 12, 2019 Commissioners' Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the March 12, 2019 Commissioners’ Meeting Minutes. The vote was called. The motion passed unanimously.

6. Reports of Staff and Committees:

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

Mr. Porter provided the Board with a Fair/Expo Update for the month of February, 2019. His update is on file in the Linn County Clerk’s Office in the Commissioners’ Staff File. Mr. Porter shared that it was business as normal and that things were going well. Extensive discussion followed on the possibility of Mr. Porter creating a separate report of revenue that is received for future events. Commissioner Nyquist noted that Mr. Porter was the expert on the matter and that he could make the decision if he needed a separate report as a management tool. Commissioner Tucker asked Mr. Porter to add a line item to his report reflecting the Transient Lodging Tax income and Mr. Porter replied that he would. The Board thanked Mr. Porter for his report.

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

A. Bid Award – Stayton Bridge Boat Ramp Construction Project.

Mr. Carroll shared that Legacy Contracting Inc. of Stayton, Oregon had submitted a bid in the amount of \$199,968.00 and he recommended that they award the contract to them. Brief discussion followed.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the Bid Award Recommendation for the Stayton Bridge Boat Ramp Project to Legacy Contracting Inc. The vote was called. The motion passed unanimously.

8. Road Department – Chuck Knoll, Engineer, Linn County Road Department.

A. Resolution & Order 2019-077 approving a Jurisdictional Transfer Agreement for the North Santiam River Bridge No. 02058 between the State of Oregon, Department of Transportation (ODOT) and Linn County.

Mr. Knoll provided the Board with detailed background information regarding Resolution & Order 2019-077.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2019-077. The vote was called. The motion passed unanimously.

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

A. Resolution & Order 2019-092 terminating a contract for construction services.

Mr. Williams provided the Board with a detailed overview of Resolution & Order 2019-092. Brief discussion followed.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2019-092. The vote was called. The motion passed unanimously.

Commissioner Nyquist recessed the regular Board meeting at 9:56 a.m.

Commissioner Nyquist reconvened the regular Board meeting at 10:00 a.m.

10. Public Hearing - *Continued Hearing from February 12, 2019 and February 26, 2019 - PD18-0283*; An appeal by Frank Walker on behalf of the Mount Pleasant Community Church of the Linn County Historic Resource Commission (HRC) decision approving a Historic Resource Alteration Review and a Non-conforming Use Review to site a modular building to be used for classrooms and sanitary facilities for the church – Alyssa Schrems, Assistant Planner, Linn County Planning and Building Department.

Ms. Schrems provided the Board with a recap and explained that prior to this meeting she had received email correspondence from the Applicant's Attorney, Frank Walker, stating that the Applicant was withdrawing their application. The email correspondence is on file in the Linn County Clerk's Office in the Commissioners' Staff File. Commissioner Nyquist asked for clarification: did the Applicant withdraw the application for an appeal or withdrew the application for the entire project. Ms. Boles verified that the entire application had been withdrawn. Brief discussion followed.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to accept the Applicant's request to withdraw their application and close the file on PD18-0283.

After discussion, it was determined that the Board needed to accept the email correspondence received from the Applicant's Attorney into the record before closing the file.

Commissioner Tucker withdrew his motion.

Action – Commissioner Lindsey moved and Commissioner Tucker seconded the motion to accept the email correspondence dated Monday, March 4, 2019 received from the Applicant's Attorney, Frank Walker, requesting to withdraw their application. The vote was called. The motion passed unanimously.

Action – Commissioner Lindsey moved and Commissioner Tucker seconded the motion to accept the Applicant's request to withdraw their application and to affirm the Planning Commission's original decision to deny the application and to close the file on PD18-0283. The vote was called. The motion passed unanimously.

Commissioner Tucker asked Ms. Schrems to notify the Applicant and Mr. Walker of the Board's action and that the file was now closed. Ms. Schrems replied that she would.

11. Special Transportation – Mark Volmert, Linn County Special/Rural Transportation Coordinator.

A. ODOT Statewide Transportation Improvement Fund (STIF) Formula Fund Allocations Recommended by the Linn County Transportation Advisory Committee (TAC).

Mr. Volmert introduced the Board to Tim McQueary, Chair of the Linn County Transportation Advisory Committee (TAC) and Barry Hoffman, City of Albany Transit Programs Supervisor. Mr. Volmert then provided the Board with detailed background information regarding the matter and referred to the five-page report he had submitted to the Board. The report is on file in the Linn County Clerk's Office in the Commissioners' Staff File. Extensive discussion followed. The Board thanked Mr. Volmert for his hard work and effort and his summary of the matter.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the ODOT Statewide Transportation Improvement Fund (STIF) Formula Fund Allocations Recommended by the Linn County Transportation Advisory Committee (TAC). The vote was called. The motion passed unanimously.

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

13. Special Orders:

A. Personnel Action Forms were read into the record for: Eric Chytka and Katelyn Weatherford (Alcohol & Drug); Eugene Karandy and Kevan McCulloch (County Attorney); Vicki Hoiseth (Developmental Disabilities); Gregory Hart and Courtney Sherwood (General Services); Tregg Smith (Juvenile Department); Shirlee Wertz (Health Services Admin); Sarah Mason (Mental Health) and Alyssa Boles (Planning & Building).

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 2019-080 approving the participation in funding activities of the Oregon Office for Community Dispute Resolution 2019-2021.

Mr. Wyatt provided the Board with background information regarding Resolution & Order 2019-080.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2019-080. The vote was called. The motion passed unanimously.

C. Resolution 2019-085 reappointing members to the Linn County Law Library Committee.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution 2019-085. The vote was called. The motion passed unanimously.

D. Resolution 2019-087 appointing a member to the Linn-Benton Housing Authority.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution 2019-087. The vote was called. The motion passed unanimously.

E. Resolution 2019-088 in the matter of a vacancy on the Linn County Compensation Board.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution 2019-088. The vote was called. The motion passed unanimously.

F. Resolution 2019-089 reappointing members to the Linn County Fair Board.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution 2019-089. The vote was called. The motion passed unanimously.

G. Resolution 2019-090 appointing a member to the Linn County Historic Resource Commission.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution 2019-090. The vote was called. The motion passed unanimously.

Commissioner Nyquist recessed the regular Board meeting at 10:25 a.m.

14. Executive Session – Pursuant to ORS 192.660(2)(e) and (f).

By unanimous consent, the Board closed the Executive Session.

Commissioner Nyquist reconvened the regular Board meeting at 10:48 a.m.

Commissioner Nyquist stated that no final decision was made or action taken or voted on in the Executive Session.

15. Unfinished Business and General Orders:

A. Calendar Update – The Board updated their calendars.

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

17. Announcements: There were no announcements.

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; by unanimous consent, the Board of Commissioners meeting was adjourned at 10:50 a.m. to Wednesday, March 20, 2019.

Minutes of the Linn County Board of Commissioners adjourned meeting, Tuesday, March 19, 2019 continued to Wednesday, March 20, 2019:

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; Rick Partipilo, Linn County Environmental Health Program Manager; Glenna Hughes, Linn County Public Health Program Manager; Steve Wilson, North Cascade District/Santiam Forester, Oregon Department of Forestry (ODF); Blake Ellis, Santiam-Lyons Wildland Fire Supervisor (ODF) (attended via phone); Dr. Eby; Alan Kwan and Alex Paul, Reporter for the Democrat-Herald.

20, 21. 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, Ralph Wyatt, Linn County Administrative Officer and Heather Gravelle, Recorder for the Board of Commissioners. Commissioner Lindsey entered the Board meeting at 9:20 a.m.

22. 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 provided the Board with an overview of the Communicable Disease and Vital Statistics Reports for February, 2019. Copies of the reports are on file in the Linn County Clerk's Office in the Commissioners' Staff file. Commissioner Tucker asked Mr. Noble if they would start tracking the number of suicides; the reports don't list them as "suicides" so the actual numbers were unclear.

After discussion, it was determined that the Medical Examiner was in charge of listing the cause of death and Commissioner Tucker stated that he would discuss the matter with the District Attorney. The Board thanked Dr. Muth for his reports.

B. Environmental Health Monthly Activity Report – Rick Partipilo, Linn County Environmental Health Program Manager.

Mr. Partipilo provided the Board with an overview of the Environmental Health Monthly Activity Report for February, 2019. A copy of his report is on file in the Linn County Clerk's Office in the Commissioners' Staff file.

Mr. Partipilo shared that it was business as usual, the numbers were where they should be at this time of year and he asked the Board if they had any questions. Commissioner Tucker mentioned an email that the Board had received from a citizen in Lebanon who shared that he was experiencing significant vibrations in his home that he thought was caused by a company nearby running heavy machinery. Commissioner Tucker asked Mr. Partipilo if he had investigated the matter and if he had found a root cause of the vibrations.

Mr. Partipilo responded that he went out to the property and that the citizen and neighbors told him that they had experienced the vibrations seven days a week and it seemed to be more intense in the evening hours. He added that he had not determined the cause but that he would contact folks at the Oregon Occupational Safety and Health Administration (OSHA) and the Oregon Department of Environmental Quality (DEQ) for assistance on the matter. Commissioner Tucker noted that the area was not far from where the City of Lebanon had recently put in a new water pump system and he asked Mr. Partipilo to keep the Board updated on the matter. The Board thanked Mr. Partipilo for his work and his update.

C. Resolution & Order 2019-075 approving an Intergovernmental Agreement between the Linn-Benton Housing Authority and Linn County.

Mr. Noble provided the Board with an overview of Resolution & Order 2019-075.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2019-075. The vote was called. The motion passed unanimously.

D. Resolution & Order 2019-076 approving an Amendment No. 13 to the Intergovernmental Agreement for the financing of Public Health Services (Contract No. 154121) between the State of Oregon, Oregon Health Authority and Linn County and delegating authority to execute originals.

Mr. Noble provided the Board with background information regarding Resolution & Order 2019-076.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2019-076. The vote was called. The motion passed unanimously.

E. Resolution 2019-083 reappointing members to the Linn County Alcohol & Drug Planning Committee.

Mr. Noble provided the Board with details regarding Resolution 2019-083.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution 2019-083. The vote was called. The motion passed unanimously.

F. Resolution 2019-086 reappointing members to the Linn County Mental Health Advisory Board.

Mr. Noble provided the Board with background information regarding Resolution 2019-086.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution 2019-086. The vote was called. The motion passed unanimously.

Next, Commissioner Tucker explained that there was a fire near the North Santiam Recreation Area and introduced Steve Wilson, North Cascade District/Santiam Forester, Oregon Department of Forestry (ODF) and Blake Ellis, Santiam-Lyons Wildland Fire Supervisor (ODF) (attended via phone). Mr. Ellis stated that there was currently a fire near the North Santiam State Recreational Area off Highway 22. Mr. Ellis explained that, overnight, they were able to secure the southwest portion of the fire which was impacting Linn County residents.

Mr. Ellis stated that they were recommending that they drop evacuation levels down to a level 2 which meant that residents could return to their homes. Commissioner Tucker asked Mr. Ellis if he knew the source of the fire yet. Mr. Ellis responded that the fire was currently under investigation but that he did know that the fire did not originate on State Parks. Commissioner Tucker inquired if there was anything more that the Board could do to assist and stated that he had helped organize and get the Red Cross tent set up and ready to take evacuees.

Mr. Ellis replied that what the Board had already provided was amazing and unprecedented and he thanked them for their support. Commissioner Tucker thanked Mr. Ellis and Mr. Wilson for their service and for attending the Board meeting to provide them with an update on the fire.

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

24. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 9:45 a.m. by unanimous consent.

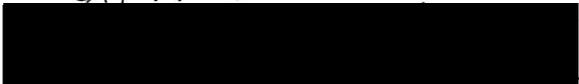
The next regular public meeting of the Board of Commissioners is scheduled for Tuesday, Tuesday, March 26, 2019.

 Recorder
For Board of Commissioners
Heather Gravelle

LINN COUNTY BOARD OF COMMISSIONERS

ABSENT

Roger Nyquist, Chairman


John K. Lindsey, Commissioner


William C. Tucker, Commissioner

Date 3-26-2019