



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
TUESDAY MEETING
LINN COUNTY COURTHOUSE – ROOM 200
MARCH 24, 2020**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, March 24, 2020.

Those present at various times for the matters as indicated below were: Michelle Hawkins, Linn County Treasurer & Budget Officer; Rhonda Walters, Deputy Treasurer, Linn County Treasurer's Office; Phil Warnock, Community and Economic Development Director, Cascades West Council of Governments; Torri Lynn, Linn County Juvenile Department Director; Darrin Lane, Linn County Roadmaster; Chuck Knoll, Engineer, Linn County Road Department; Jodi Gollehon, Deputy County Attorney for Linn County; Tom Casey, Linn County Surveyor; Todd Noble, Linn County Health Services Administrator; Robert Wheeldon, Linn County Planning and Building Director; Alyssa Boles, Senior Planner, Linn County Planning and Building Department; Jeffrey Peters, Applicant; Sherrie Sprenger, State Representative House District 17; Kerry Johnson 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. Treasurer – Michelle Hawkins, Linn County Treasurer & Budget Officer.

A. Resolution & Order 2020-070 approving a loan for funds from the Road Fund to the General Fund of Linn County for the purpose of purchasing property at Old Salem Road, Millersburg, Oregon.

Ms. Hawkins informed the Board that this item was associated with the Millersburg property. The Board had asked her to create a loan fund from the Road Fund to the General Fund for \$10,000,000 to purchase the property. The Roadmaster purchased the property expecting to be reimbursed by ODOT. She stated that it was a 10-year loan with interest only for the first four years to stay within its own funding source. Commissioner Nyquist provided further information regarding this matter.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-070. The vote was called. The motion passed unanimously.

B. Order 2020-081 adopting the 2019-2020 Linn County Supplemental Budget and making appropriations.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Order 2020-081 in the amount of \$10,000,000. The vote was called. The motion passed unanimously.

C. Order 2020-083 accepting an expenditure of a certain grant within the Health Fund, \$732,765.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Order 2020-083. The vote was called. The motion passed unanimously.

D. Order 2020-085 adopting the 2019-2020 Linn County Supplemental Budget and making appropriations.

Ms. Hawkins stated that this Supplemental Budget puts in position the \$10,000,000 loan. As of right now in the Road Fund, the money was put into several categories that, unless they do a Supplemental Budget, she can't move the money.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Order 2020-085 a Supplemental Budget in the amount of \$1,400,000. The vote was called. The motion passed unanimously.

6. COG Update – Phil Warnock, Community and Economic Development Director, Cascades West Council of Governments.

Mr. Warnock provided the Board with a COG Update. He stated that the COG offices were open and they were evaluating what functions could be moved off-site to work remotely in order to limit public contact; all services remain available at this point. Mr. Warnock then gave an update on the Community Services Consortium (CSC) and COG merger. A Request for Information (RFI) had gone out and responses were due back by Wednesday, April 15, 2020. Given the changes that are occurring with COVID-19, the response date may be adjusted. Next, he gave an update on the Census Committee and Transportation Services. He also stated that wetlands were a theme across the valley.

Mr. Warnock then reported that information on the small business lending environment had been changing hourly regarding recommendations and potential changes. He stated that they were keeping pace with that and they were looking at what potential modifications could be made administratively and with work plans. He stated that they needed to be able to respond to any changes that come out such as forbearance or loan modifications. Commissioner Nyquist stated that, while he was on a call Thursday, March 19, 2020 with representatives of the Governor's Office, they indicated that all of the small business aid packages were going to go through the local Community Development Corporations (CDC). Commissioner Nyquist then said that the CDC does 504 and 7A's so it looked like, to him, that every small business in Linn County would be eligible for some loans, grants or forgivable loans. He then asked Mr. Warnock how many transactions with small businesses COG did over the course of last year. Mr. Warnock replied that they had engaged with dozens of small businesses across the County. Commissioner Nyquist stated that Mr. Warnock should have a plan in place to deal with 1,000 small businesses within Linn, Benton and Lincoln Counties. He stated that he was going to call Mr. Warnock, within a week, to ask him what his organization had in place for small businesses owners to be ready to respond with assistance when the aid packages were approved.

Lastly, Mr. Warnock informed the Board that Meals-On-Wheels were still delivering meals and staying on schedule. Commissioner Nyquist asked Mr. Warnock to get back to the Board with what he deems "in demand and/or shortages" in delivery and he would call Senator Ron Wyden's office and make them aware; we can't have our homebound seniors not getting meals.

7. Reports of Staff and Committees:

A. Juvenile Update – Torri Lynn, Linn County Juvenile Department Director.

Mr. Lynn provided the Board with a Juvenile Update for the month of February 2020. A copy of his report is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Commissioner Tucker thanked Mr. Lynn for giving him a tour of the Juvenile Detention Center last week. Mr. Lynn stated that they have eliminated visitors at the detention center but can communicate via phone. They are also being careful when bringing a youth through in-take. He stated that his department was set up to work at home but most of his staff wanted to come into the office and work.

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

A. Resolution & Order 2020-062 authorizing publication of a bid advertisement and setting a bid opening for the North Santiam River (Mill City) Bridge Project.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-062. The vote was called. The motion passed unanimously.

B. Resolution 2020-064 delegating authority to Darrin L. Lane, Roadmaster, for the purchase of oil rock to be supplied and delivered by Riverbend materials.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution 2020-064. The vote was called. The motion passed unanimously.

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

A. Resolution 2020-047 amending the Linn County Exclusion Policy (Policy 39) (*This item was held over from Tuesday, February 18, 2020*).

Commissioner Lindsey stated that he wanted to continue this matter as he saw language that was conflicting such as not possessing an open alcohol beverage on Linn County property which means any building and grounds. This would apply to the Expo Center and campgrounds and, at times, there are concessions on various properties and this would be a direct conflict. Ms. Gollehon stated that she would change the language to "unlawful possession" and Commissioner Lindsey agreed.

Commissioner Lindsey then asked what the legal definition was for the word "annoys" found in Policy 39 under Section 39.3. Ms. Gollehon reminded Commissioner Lindsey that this matter was not meant to be a new law. Ms. Gollehon then read the Section out loud but Commissioner Lindsey stated the key word was "or" (harasses or annoys).

She stated that she would remove the word “annoys” and stated, again, that this was not a law making things illegal but just an avenue that was needed to be able to remove someone from a building and this policy was the only thing giving authority to do so.

Commissioner Tucker asked Commissioner Lindsey that, if Ms. Gollehon changed the language to “unlawful possession” and removed the word “annoys”, would he agree to move forward and he said he would be ready to move forward. Ms. Gollehon stated that she would make those changes.

B. Resolution 2020-067 repealing Linn County Special Order 3, prohibiting dangerous weapons in the Courthouse and Linn County Special Order 4, prohibiting smoking in public buildings.

Commissioner Lindsey asked Ms. Gollehon about the Judge’s Order and she stated that Judge McHill had issued a weapons order specific to the courtrooms.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution 2020-067. The vote was called. The motion passed unanimously.

Commissioner Nyquist recessed the regular Board meeting at 10:05 a.m.

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

10. Public Hearing – BC19-0008; Concurrent applications by Jeffrey Peters for Linn County Comprehensive Plan (Plan) map and zoning map amendments – Alyssa Boles, Senior Planner, Linn County Planning and Building Department.

Commissioner Lindsey called upon Ms. Boles to review her Staff Report with the Board. She indicated that the Planning Commission voted 4-0 for the Board to approve the amendments as proposed.

Commissioner Tucker asked Ms. Boles if there had been any additional documentation for the Board to review and she indicated that there were none.

Commissioner Lindsey opened the Public Hearing. He asked the Board if they had any exparte communication regarding this matter. Commissioner Tucker stated that he had no investment, no exparte communication and no contact regarding this matter. Commissioner Lindsey stated that that was the same for him as well. Commissioner Nyquist stated that he had no financial interest in this matter or any conflict of interest and could be fair and impartial. Commissioner Lindsey then informed the audience of the time limits for testimony.

Commissioner Lindsey then called upon the Applicant. There was no sign-in sheet provided for this matter.

Jeffery Peters, P.O. Box 324, Lyons, OR 97358 – Applicant.

Mr. Peters stated that he was trying to help one of his kids out to give them a start in life. He was unsuccessful in turning the property into a usable lot except for scotch broom and briers. With the 3.2 acres already in the City of Lyons, there was not enough room to put in a septic and over the years he has tried different configurations. He then approached the City of Lyons to see if they would like to have a little more ground and they were receptive to the idea. Mr. Peters had nothing else to add and stated he was willing to answer any questions from the Board.

Commissioner Lindsey stated that the Applicant had gone through the complete Public Hearing process with the City of Lyons and the Planning Commission and now the last step was coming before the Board. It has been approved unanimously every step of the process. The Applicant agreed.

Commissioner Lindsey then asked if there was anyone in the audience wishing to testify in support, opposition or was neutral. There was no one wishing to speak.

Action – Commissioner Tucker moved and Commissioner Nyquist seconded the motion to accept the Staff Report into the record. The vote was called. The motion passed unanimously.

Action – Commissioner Tucker moved and Commissioner Nyquist seconded the motion to close the Public Hearing. The vote was called. The motion passed unanimously.

Action – Commissioner Tucker moved and Commissioner Nyquist seconded the motion to approve BC19-0008 concurring applications for a comprehensive plan and a zoning map amendments. The vote was called. The motion passed unanimously.

The Board then directed Staff to prepare the Resolution & Order within the next two weeks. Ms. Boles agreed.

11. Correspondence: Commissioner Tucker stated that he and Commissioner Lindsey had worked on a letter to Governor Kate Brown about business opportunities that would help the economy during the COVID-19 crisis. A draft of the letter is filed in the Linn County Clerk's Office in the Commissioners' Staff File.

Commissioner Nyquist stated that he hadn't seen the letter; Commissioner Lindsey read the letter into the record. Commissioner Nyquist commented that the statement about the State purchasing food inventory from restaurants would, functionally, not be able to be executed. Commissioner Lindsey stated that they could delete that recommendation from the letter. Discussion followed.

The Board decided to wait on sending the letter to Governor Brown until Commissioner Nyquist had an opportunity to review it further.

12. Special Orders:

A. Personnel Action Forms were read into the record for: Noah Willis (Fair/Expo); Corinne Clark (GIS); Hannah Bullock (General Services); Idahna Freitag (Juvenile Detention); Rebecca Szuch (Parks & Recreation); Karen Harty (Public Health) and Bruce Hankins and Jason McKinnon (Road Department).

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

13. Unfinished Business and General Orders:

A. Calendar Update: The Commissioners updated their calendars. Commissioner Lindsey noted that there would be a Special Management Staff Meeting on Wednesday, March 25, 2020 at Noon. Commissioner Nyquist stated that the special meeting was to go over a number of operational and budgetary issues that are evolving as the County works through the COVID-19 crisis. Commissioner Lindsey noted that Commissioners Tucker and Nyquist were scheduled to attend a CSC Full Board meeting next week and Commissioner Tucker stated that he believed it would be a telephone conference call. Commissioner Lindsey stated that he would be out of the office so would not be attending that meeting.

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

15. Announcements: There were no announcements.

16. Business from the Public (3 minute limit per speaker): Sherrie Sprenger, State Representative House District 17, stated that she was present to answer any questions the Board may have regarding what was going on from the Governor's Office regarding COVID-19 and the legislature since there will be a Special Legislative Session scheduled soon. Discussion followed.

Commissioner Nyquist stated that it would be helpful if the Governor's announcements regarding the COVID-19 crisis had more of a four-corner process and the legislative leaderships should also sign-off on Executive Orders. This would reduce the mix-messages and would be clearer to small businesses that need that information. He also stated that there needed to be an honest conversation on where the Governor's Office was targeting their attention. Commissioner Nyquist stated he would like there to be more transparency with data such as the number of people that have been hospitalized due to the virus. The Oregon Health Authority (OHA) stopped providing that information.

Commissioner Lindsey stated he was frustrated with the fact that he talked to a company that said they had one million masks and yet they couldn't supply them for the COVID-19 crisis because they are not an approved government distributor. He stated that we are in an emergency situation and they shouldn't need to go through the normal process, and stated he was stunned by this.

Commissioner Nyquist stated the Board needed to be supportive of whatever actions were necessary to protect the public's health.

17. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 10:38 a.m. by unanimous consent.

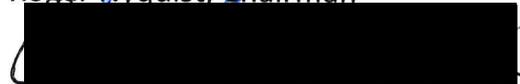
The next regular public meeting of the Board of Commissioners is scheduled for 9:30 a.m. on Tuesday, March 31, 2020.


_____, Recorder
For Board of Commissioners
Marsha Meyer

LINN COUNTY BOARD OF COMMISSIONERS



Roger Nyquist, Chairman



John K. Lindsey, Commissioner



William C. Tucker, Commissioner

Date 3-31-2020