



**MINUTES OF THE REGULAR SESSION OF THE  
LINN COUNTY BOARD OF COMMISSIONERS  
TUESDAY MEETING  
LINN COUNTY COURTHOUSE – ROOM 200  
NOVEMBER 13, 2018**

**The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, November 13, 2018.**

Those present at various times for the matters as indicated below were: Robert Wheeldon, Linn County Planning and Building Director; Alyssa Boles, Senior Planner, Linn County Planning and Building Department; Todd Noble, Linn County Health Services Administrator; Rich Kellum; Joanne Manson, Oregon Military Department (OMD); Stan Hutchison, OMD; Art Martinak; Alan Kwan; Stephanie Newton; other audience members 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.

**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 November 6, 2018 Commissioners' Meeting Minutes.

**Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the November 6, 2018 Commissioners' Meeting Minutes. The vote was called. The motion passed unanimously.**

6. Reports of Staff and Committees:

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

Mr. Wheeldon provided the Board with a Planning Update for the month of October, 2018 and it is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Mr. Wheeldon shared that, overall, permit activity in the department was generally the same as the first quarter of the last fiscal year. He stated that they had issued 28 permits for new site-built dwellings and 14 manufactured home permits; rural Linn County total non-electrical permits, including building, plumbing and mechanical permits was down ten percent; commercial industrial and public building related permits were down eight percent and that the total number of plan reviews, which included rural and contract city, was up seven percent.

Mr. Wheeldon stated that the Planning Commission does not have any land use hearings scheduled for the month of November and that the Historic Resource Commission was meeting on the evening of Thursday, November 15, 2018 at 7:00 p.m. in the Old Armory Building. The Board thanked Mr. Wheeldon for his update.

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

A. Resolution & Order 2018-358 approving an Amendment No. 10 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 a summary of Resolution & Order 2018-358.

**Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2018-358. The vote was called. The motion passed unanimously.**

B. Resolution & Order 2018-363 approving an Intergovernmental Agreement between Grand Canyon University and Linn County.

Mr. Noble provided the Board with background information regarding Resolution & Order 2018-363.

**Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2018-363. The vote was called. The motion passed unanimously.**

8. County Counsel – Gene Karandy, County Attorney for Linn County. (Did not appear before the Board on this item).

A. Resolution & Order 2018-361 approving an initial determination of noncompliance with conditions of the 2017-2021 Outdoor Assembly Code Permit for the Willamette Country Music Festival, setting a Hearing and ordering Notice of Publication.

Commissioner Tucker noted that representatives of the Willamette Country Music Festival did not attend the debriefing that was held on Tuesday, September 25, 2018 and that this action would begin the process of revoking their 2017-2021 Outdoor Assembly Code Permit. Brief discussion followed.

**Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2018-361. The vote was called. The motion passed unanimously.**

9. Discussion to determine the delegate for the Council of Forest Trust Land Counties meeting to be held at the Annual AOC Conference at 7:00 a.m. on Wednesday, November 14, 2018.

Commissioner Tucker explained that he would not be able to attend the Council of Forest Trust Land Counties meeting on Wednesday, November 14, 2018 and that they needed to determine a delegate for their proxy vote. Commissioner Tucker recommended that Commissioner Nyquist attend the meeting and after brief discussion, by consensus, the Board agreed.

*Commissioner Nyquist recessed the regular Board meeting at 9:54 a.m.*

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

10. Public Hearing – continued from Tuesday, October 23, 2018 and Tuesday, October 30, 2018; for Deliberation and Decision – BC-18-0003 – Applications by the Oregon Military Department (OMD) for a Comprehensive Plan (Plan) Text Amendment to adopt a Reasons Exception to Statewide Planning Goal 3, along with concurrent Plan Map and Zoning Map amendments, affecting approximately 34-acres of land – Robert Wheeldon, Linn County Planning and Building Department Director.

Mr. Wheeldon provided the Board with a recap and explained that two additional written comments were submitted for the record by the deadline.

**Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to accept the following items into the record: a letter from Cory Koos dated November 6, 2018 and a letter from the Oregon Military Department (OMD) dated November 13, 2018. The vote was called. The motion passed unanimously.**

Commissioner Nyquist stated that he believed that the applicants had made a solid application based on cumbersome criteria and that the opponents had expressed understandable concerns. Specifically, Art Martinak's concern of potential security and safety impacts to his residence, as well as, Telly Wirth's concern of water, drainage and farming compatibility. Commissioner Nyquist explained that the Linn County Watermaster discloses to the Board any time he has to restrict someone's water for agricultural purposes and that the only time he knew of that occurring in the last 28 years was in the Gilkey area on Crabtree Creek. Mr. Wirth's would have senior rights to any water rights that were granted for the proposed facility.

Commissioner Nyquist noted that this was not an easy decision; he works for the citizens of Linn County, a number of people have weighed in on the issue and he believed that the site was a unique location for the National Guard facility and that the location would positively impact their ability to react to a crisis as it was near the crux of a highway and a federal interstate. Commissioner Lindsey agreed and stated that he did not see any conflicts. Commissioner Tucker noted that he had listened and read all the testimony and that he did not hear any actual issues that would preclude the proposed location. Brief discussion followed.

**Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve BC-18-0003 – Applications by the Oregon Military Department (OMD) for a Comprehensive Plan (Plan) Text Amendment to adopt a Reasons Exception to Statewide Planning Goal 3, along with concurrent Plan Map and Zoning Map amendments, affecting approximately 34-acres of land. The application meets and complies with the requirements for Plan Text Amendments found in Linn County Code (LCC) 921.872 and 874. The record shows that the application meets the Reasons Exceptions in Oregon Administrative Rule (OAR) 666-004-0018 and 0020 and is in compliance with the Goal 3 Exception. The Plan Map Amendment meets the criteria in LCC 921.874 and the Zoning Map Amendment criteria in LCC 921.822. Direct staff to create findings based on the record and the testimony and to prepare a Resolution & Order along with the supporting Ordinance by the Tuesday, December 18, 2018 Board meeting. The vote was called. The motion passed unanimously.**

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

12. Special Orders:

A. Personnel Action Forms were read into the record for: Richard Goff (Planning & Building) and Emily Boyce (Juvenile Detention).

**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 2018-359 approving a Letter of Agreement between SEIU Local 503, OPEU Linn County Local 390 and Linn County and delegating authority to execute originals.

**Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2018-359. The vote was called. The motion passed unanimously.**

C. Resolution & Order 2018-364 approving a Personal Services Contract between Aldrich Benefits, LP aka AKT Benefit Advisors, LP and Linn County.

**Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2018-364. The vote was called. The motion passed unanimously.**

13. Unfinished Business and General Orders:

A. Calendar Update: The Commissioners updated their calendars and Commissioner Tucker noted that he would be out of the office starting today, Tuesday, November 13, 2018 and would be returning on Thursday, December 13, 2018.

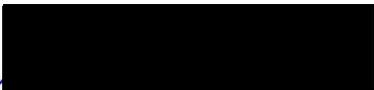
14. New Business: Commissioner Nyquist explained that during the budget hearings in April, 2018, the Linn Libraries of Oregon had submitted a \$20,000 request for a courier service for shuttling books from one library to another. He explained that he would be receptive of issuing them a grant and taking it out of the contingency fund. Commissioner Lindsey commented that it would end up being a permanent funding source. Commissioner Tucker stated that in the past there had been a grant for that purpose but that it had expired; he remembered them asking during the budget hearing's but that after discussion the Budget Committee had denied their request.

Commissioner Tucker added that he would lean towards negotiating a scholarship of up to \$30,000 that would go towards Linn County citizens that do not live within city limits and normally don't have access to a library. After lengthy discussion, it was determined that Commissioner Tucker would contact the library folks to have further conversation on the matter and to discuss options.

15. Announcements: Commissioner Nyquist announced that there would be no Board meeting held on Tuesday, November 20, 2018.

16. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 10:35 by unanimous consent.

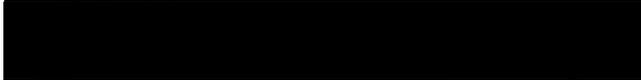
The next regular public meeting of the Board of Commissioners is scheduled for Tuesday, November 27, 2018.

 Recorder  
For Board of Commissioners  
Heather Gravelle

**LINN COUNTY BOARD OF COMMISSIONERS**



Roger Nyquist, Chairman



John K. Lindsey, Commissioner

**ABSENT**

William C. Tucker, Commissioner

Date 11-27-2018