



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
TUESDAY MEETING
LINN COUNTY COURTHOUSE – ROOM 200
SEPTEMBER 29, 2020**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, September 29, 2020. *The meeting began at 8:00 a.m. instead of the regularly scheduled time of 9:30 a.m. due to a meeting the Board needed to attend at 10:00 a.m. in Salem regarding Wildfire Recovery.*

Those present at various times for the matters as indicated below were: Sheriff Jim Yon, Linn County Sheriff's Office; Ted Langley, Captain Corrections Division, Linn County Sheriff's Office; Wayne Mink, Linn County Roadmaster; Chuck Knoll, Engineer, Linn County Road Department; Jodi Gollehon, Deputy County Attorney for Linn County; Robert Wheeldon, Linn County Planning and Building Director and Alex Paul, Reporter for Democrat-Herald.

1, 2, 3. At 8:00 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, Darrin L. Lane, Linn County Administrative Officer and Marsha Meyer, Recorder for the Board of Commissioners.

Commissioner Nyquist stated, if it pleased the Board, that either at the conclusion of Agenda Item No. 9, he would like to add a brief Executive Session pursuant to ORS 192.660(2)(e) and (h); or, change Agenda Item No. 17 to Item No. 18 while Ms. Gollehon was present. Commissioner Tucker asked that it be moved to the end of the Agenda as Item No. 17 being the Executive Session and Item No. 18 being Adjournment.

4. Approval of Agenda.

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

5. Approval of the September 22, 2020 Commissioners' Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the September 22, 2020 Commissioners' Meeting Minutes. The vote was called. The motion passed unanimously.

6. Reports of Staff and Committees: There were no reports of staff and committees.

7. Sheriff's Office – Ted Langley, Captain Corrections Division, Linn County Sheriff's Office.

A. Resolution & Order 2020-286 approving an Amendment No. 3 to Intergovernmental Agreement (No. 5187) between the State of Oregon Department of Corrections and Linn County and delegating authority to sign originals.

Captain Langley informed the Board that there were a few things amended in the contract with the State. He stated that the Department of Corrections (DOC) had lost some of its funding so, instead of 45 beds, they are only renting 35 beds from Linn County. The other change was the release time of DOC inmates which changed the charge-per-day rate. He stated that the change in the charge-per-day rate is the same rate reflected in the current Fee Schedule.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-286.

Commissioner Nyquist had questions about the reduction in the DOC budget and Jim Yon, Linn County Sheriff, replied that his office knew about the budget change before the Linn County Budget was adopted and it has already been taken care of. Commissioner Nyquist stated that he was concerned of the impact to the community's safety with the reduction in beds from 45 to 35. Discussion followed.

Commissioner Nyquist asked Sheriff Yon to determine at what point the County should engage the State in a conversation about the change in levels and the consequences of those changes.

The vote was called. The motion passed unanimously.

8. Road Department – Wayne Mink, Linn County Roadmaster.

A. Resolution & Order 2020-256 approving a Contract Amendment (Change Order No. 1) for the North Santiam River (Mill City) Bridge Project between Legacy Contracting, Inc. and Linn County.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-256. The vote was called. The motion passed unanimously.

B. Resolution & Order 2020-290 approving a Grant Agreement for the 2020 Overlay Project between the State of Oregon Department of Transportation (ODOT) and Linn County.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-290. The vote was called. The motion passed unanimously.

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

A. Resolution & Order 2020-292 adopts the requirements in Senate Bill 479 passed in 2019 repealing the Policy of Linn County Prohibiting Discriminatory Harassment (Policy 24A) and Adopting the Policy Prohibiting Discrimination, Workplace Harassment, Sexual Harassment and Sexual Assault (Policy 46).

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2020-292.

Commissioner Tucker asked Ms. Gollehon to summarize the changes that were made to both policies. Ms. Gollehon stated that Policy 24A was the old version of the policy and then the Legislature passed Senate Bill 479 in response to things that were happening in the legislature. She stated that there weren't many changes; mainly defined the process.

The vote was called. The motion passed unanimously.

Commissioner Nyquist requested that Ms. Gollehon stay for the Executive Session and she indicated that she would.

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

A. Discussion of the process for waiving fees for RV placement in the Santiam Canyon.

Mr. Wheeldon stated that he had provided the Board with a draft temporary use permit for emergency occupancy of an RV or other structure due to the wildfires. He stated there would no charge for the emergency permit. The permit would expire on December 31, 2020 and would immediately roll over to January 1, 2021 for an additional 90-days which is the limit provided in the Linn County Code. Mr. Wheeldon then stated that prior to the expiration on the 90-day permit; the person would have the opportunity to obtain another occupational permit up to one year. A copy of the draft temporary use permit is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Commissioner Nyquist stated that he completely supported this and it was the result of a constituent inquiry. We take the feedback and learn from it to do course corrections and make modifications where appropriate. He stated that he wanted to make clear the intention of the Board that this was for people parking their RV on a property that they have some connection to; we do not want unauthorized RV parks. The Board's intent of this emergency permit was for people who have been displaced by the wildfires to be able to go back on the property they were displaced from or property nearby.

Mr. Wheeldon then reviewed a few of the provisions and asked about the type of hookups for electrical, septic and power. He stated that he has already been issuing electrical permits for those properties which generally he would not issue. Discussion followed.

Commissioner Nyquist stated that, at this time, they would not require a temporary septic tank hookup but would allow it and, in 45-days, the Board may need to revisit this matter. There being no action to be taken on this matter, Commissioner Tucker asked for the Board's consensus to accept the draft emergency permit form. Commissioner Nyquist noted that there was consensus of the Board to support the application form as presented by Robert Wheeldon, Linn County Planning and Building Director.

Mr. Wheeldon stated that it was his intention for his department to work on similar provisions in the code that would be beneficial for these types of natural disasters such as wind storms, floods, etc. Commissioner Tucker thanked Mr. Wheeldon for thinking ahead regarding these types of situations and disasters.

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

12. Special Orders:

A. Personnel Action Forms. A copy listing the Personnel Action Forms is attached as Exhibit 1.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to accept the Personnel Action Forms as Exhibit 1. The vote was called. The motion passed unanimously.

B. Resolution & Order 2020-293 approving a Youth Activity Grant Agreement between Linn County and the City of Albany Parks and Recreation.

Action Taken Below.

C. Resolution & Order 2020-294 approving a Youth Activity Grant Agreement between Linn County and the Mid-Willamette Family YMCA.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Orders 2020-293 and 294. 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, based on the situation in the Santiam Canyon area, the Board's schedules are changing daily and, sometimes hourly, and their paths may cross. The Board will do their best to disclose when that occurs. The Board would not be bound to do anything at these meetings and it was not the Board's intent to deliberate on any of those types of decisions at any meeting outside of their regularly scheduled Board meetings in order to meet the intent of the public meeting laws.

Commissioner Tucker stated that there were two potential meetings they Board may all attend; one was a meeting today at the fairgrounds and potentially the same Linn-Marion County meeting they've been holding on Wednesday afternoon. Commissioner Nyquist mentioned a meeting in Mill City tomorrow, Wednesday, September 30, 2020, where all elected officials impacted by the wildfires were invited to attend.

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): There was no one present from the public wishing to use this forum.

Commissioner Nyquist recessed the regular Board meeting at 8:21 a.m.

17. Executive Session – Pursuant to ORS 192.660(2)(e) and (h). *(This item was added to the agenda at the beginning of the meeting).*

Commissioner Nyquist reconvened the regular Board meeting at 8:50 a.m.

Commissioner Nyquist stated that no decisions were made in the Executive Session. The Board did instruct County Counsel to craft an agreement with the State of Oregon in regards to clean up of household hazardous waste in the Santiam Canyon area on the Linn County side of the river.

18. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 8:51 a.m. by unanimous consent.

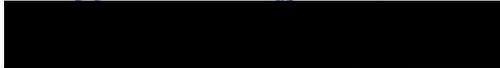
The next regular public meeting of the Board of Commissioners is scheduled for 9:30 a.m. on Tuesday, October 6, 2020.



Recorder

For Board of Commissioners
Marsha Meyer

LINN COUNTY BOARD OF COMMISSIONERS



Roger Nyquist, Chairman



John K. Lindsey, Commissioner



William C. Tucker, Commissioner

Date October 6, 2020