



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
TUESDAY MEETING
LINN COUNTY COURTHOUSE – ROOM 200
FEBRUARY 22, 2022**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, February 22, 2022.

Those present at various times for the matters as indicated below were: Torri Lynn, Linn County Juvenile Department Director; Steve Wills, Building Official, Linn County Planning and Building Department; Alyssa Boles, Planning Manager, Linn County Planning and Building Department; Jennifer Cepello, Assistant Planner, Linn County Planning and Building Department; Micah Smith, Linn County Undersheriff; Ric Lentz, Emergency Manager, Linn County Sheriff's Office; Michelle Hawkins, Linn County Treasurer; Kevan McCulloch, Deputy County Attorney for Linn County; Rachel Adamec, Linn County Real Property Program Manager; Alex Paul, Linn County Communications Officer; Rebecca Grizzle, Executive Director, Lebanon Chamber of Commerce; Blair Larsen, Community and Economic Development Director, City of Sweet Home; Alysia Rodgers, Economic Development Catalyst, City of Lebanon; Jeff and Julie Moore; Kendra Kimbirauskas; David Bran; Linda Duman; Christina Eastman; various other audience members and Tim Gruver, Reporter for Democrat-Herald.

1, 2, 3. At 9:30 a.m. Chair Nyquist called the meeting to order. The flag salute and roll call followed. Commissioners Roger Nyquist, Chair; Will Tucker, Vice-Chair and Commissioner Sherrie Sprenger were present, as well as, Darrin L. Lane, Linn County Administrative Officer and Marsha Meyer, Recorder for the Board of Commissioners.

4. Approval of Agenda.

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

5. Reports of Staff and Committees:

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

Mr. Lynn provided the Board with a Juvenile Update for the month January, 2022. A copy of his report is on file in the Linn County Clerk's Office in the Commissioners' Staff File. He shared that their Heavy Equipment Certification Program would begin soon and they had 11 youth who were participating. After discussion, Commissioner Sprenger encouraged Mr. Lynn to attempt to recruit females to the program and Mr. Lynn agreed. The Board thanked Mr. Lynn for his work and the update.

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

7. Special Orders:

A. Personnel Action Forms.

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

B. Resolution & Order 2022-047 approving a Contract for Insurance Agent of Record Services with Aldrich Benefits, LP and Linn County.

Darrin Lane, Linn County Administrative Officer, provided the Board with an overview of the matter.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-047. The vote was called. The motion passed unanimously.

C. Resolution & Order 2022-064 approving the sale of tax foreclosed property by private sale.

Commissioner Tucker provided information on Resolution & Orders 2022-064 and 067.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-064. The vote was called. The motion passed unanimously.

D. Resolution & Order 2022-067 approving the sale of tax foreclosed property by private sale.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-067. The vote was called. The motion passed unanimously.

E. Resolution 2022-066 reappointing members to the Linn County Health Advisory Council.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution 2022-066. The vote was called. The motion passed unanimously.

F. Resolution & Order 2022-070 adopting a new classification for Emergency Management Recovery Coordinator (DSA-Pay Range 15).

Undersheriff Smith provided the Board with details regarding Resolution & Order 2022-070.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-070. The vote was called. The motion passed unanimously.

G. Resolution & Order 2022-071 approving an Intergovernmental Agreement for the 2020 wildfire victims between the Department of Consumer and Business Services and Linn County and delegating authority to execute originals.

Mr. Lane provided the Board with an overview of Resolution & Order 2022-071.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-071. The vote was called. The motion passed unanimously.

8. Unfinished Business and General Orders:

A. Calendar Update: The Commissioners updated their calendars. Commissioner Nyquist noted that today the Oregon Court of Appeals would hear oral arguments regarding the State of Oregon's appeal of the 2019 Timber Lawsuit verdict.

Commissioner Tucker requested to add Item B.

B. Sweet Home Property – Family Assistance and Resource Center (FAC).

Commissioner Tucker noted that they had made significant progress on the Family Assistance and Resource Center project and stated that Blair Larsen, with the City of Sweet Home was present to provide an update to the Board. Mr. Larsen shared that they received the final plat from Udel Engineering and it had been signed and approved by the City and was ready to be recorded. He added that they appreciated the county's cooperation and the next step would be a Memo of Understanding (MOU) and then the transfer of the property. Discussion followed. The Board thanked Mr. Larsen for providing the update.

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

10. Announcements: There were no announcements.

11. Business from the Public (3-minute limit per speaker):

David Bran, 210 Alder Street, Lebanon, Oregon 97355 explained that, due to a disability, his uncle was unable to pay his property taxes and it had been foreclosed by the County. After lengthy discussion, the Board asked Rachel Adamec, Linn County Real Property Program Manager, to work with the owner to develop an agreement for him to pay his taxes and get the property back.

Linda Duman, 43166 Thomas Drive, Scio, Oregon 97374 distributed a copy of her testimony and it is on file in the Linn County Clerk's Office in the Commissioners' Staff File. Ms. Duman stated that she was opposed to a potential chicken farm that was proposed in their area. She listed the reasons she was opposed were due to the water quantity to be utilized, water, air and soil quality concerns and possible fire dangers. Commissioner Nyquist noted that Oregon had a statewide land use system and the state provided guidance on how property was zoned and what uses were allowed. He added that the County did not have process authority on the matter and he did not think it was right but that it needed to be addressed by the Oregon Legislature.

Commissioner Sprenger commented that the Commissioners did not have decision authority on the matter and the State Water Resources Department may be the best avenue for her to take to advocate her environmental and water concerns. She recommended that Ms. Duman go to her State Legislators in the 2023 Legislative Session and work towards a change in the law. Ms. Duman stated that she believed that the Linn County Commissioners should be responsible for the water quality in the County. Commissioner Nyquist reiterated that it was governed by the state, not by the Board. Ms. Duman asked that the Board review the case study that was done in Oklahoma where a similar chicken farm was built.

Kendra Kimbirauskas, 39006 Richardson Gap Road, Scio, Oregon 97374 expressed her opposition of the potential chicken farm. She stated that it would impact county roads, water quality and quantity. Ms. Kimbirauskas explained that they needed the Board's help advocating for them at a state level. Commissioner Sprenger stated that she would be happy to discuss the matter with Ms. Kimbirauskas after the Board meeting.

Christina Eastman, 37309 Jefferson Scio Drive, Scio, Oregon 97374 explained that her family had been farming in the area since 1951 and she was opposed to the chicken farm. She noted her concerns of adverse impacts to water, local wildlife, as well as, the health of the families in the area. Ms. Eastman provided Commissioner Nyquist with a sign that read "No Factory Chicken Farms in our Community."

Commissioner Nyquist asked if there was anyone else wishing to speak in person or telephonically and there was not.

12. Public Hearing – PLN-2021-00586 – An application by Julie Moore for a zoning map amendment on a 0.35-acre property identified on Linn County Assessor maps as T12S, R02W, Section 23D, Tax Lot 8500 – Jennifer Cepello, Assistant Planner, Linn County Planning and Building Department.

Commissioner Nyquist called upon Jennifer Cepello to review her Staff Report and provide the Board with background information regarding this matter. A copy of the Staff Report is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Commissioner Nyquist opened the Public Hearing and read, into the record, the process for the Public Hearing. Commissioner Nyquist then asked the Board if any of them had any conflicts of interest to declare and/or exparte communication in regard to this matter. All three Commissioners indicated that they did not have any exparte communications, conflicts of interest or financial interests.

Commissioner Nyquist called upon the Applicant to speak.

Julie and Jeff Moore, 333 Crowfoot Road, Lebanon, Oregon 97355 – Applicant.

Mr. Moore stated they had a four-year plan to open a drop off center for disabled people to provide caregivers with respite. Brief discussion followed.


Commissioner Nyquist asked if there was anyone else wishing to speak on the matter either in support, opposition or who were neutral and there was not. He then closed the Public Hearing.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to accept the Staff Report submitted by Jennifer Cepello dated February 15, 2022. The vote was called. The motion passed unanimously.

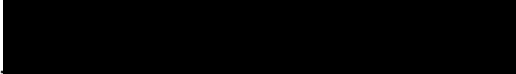
Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve PLN-2021-00586 – An application by Julie Moore for a zoning map amendment on a 0.35-acre property identified on Linn County Assessor maps as T12S, R02W, Section 23D, Tax Lot 8500. The vote was called. The motion passed unanimously.

13. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 10:42 a.m. by unanimous consent.


The next regular public meeting of the Board of Commissioners is scheduled at 9:30 a.m. on Tuesday, March 1, 2022.

 Recorder
For Board of Commissioners
Marsha Meyer

LINN COUNTY BOARD OF COMMISSIONERS


Roger Nyquist, Chair


William C. Tucker, Commissioner


Sherrie Sprenger, Commissioner

Date March 1st, 2022