



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
TUESDAY MEETING
LINN COUNTY COURTHOUSE – ROOM 200
FEBRUARY 8, 2022**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, February 8, 2022.

Those present at various times for the matters as indicated below were: Michelle Duncan, Linn County Sheriff; Micah Smith, Linn County Undersheriff; Alyssa Boles, Planning Manager, Linn County Planning Department; Wayne Mink, Linn County Roadmaster; Rachel Adamec, Linn County Property Program Manager; Michelle Hawkins, Linn County Treasurer; Gene Karandy, County Attorney for Linn County; Kevan McCulloch, Deputy County Attorney for Linn County; Rebecca Grizzle, Executive Director, Lebanon Chamber of Commerce; other audience members; Alex Paul, Linn County Communications Officer 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. Approval of the February 1, 2022 Commissioners' Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve the February 1, 2022 Meeting Minutes. The vote was called. The motion passed unanimously.

6. Sheriff's Office – Michelle Duncan, Linn County Sheriff.

A. Resolution & Order 2022-051 approving an Amendment for a Contract of Services between Summit Food Services, LLC and the Linn County Sheriff's Office.

Commissioner Nyquist asked Sheriff Duncan what the length of the contract was for and she indicated it was through June 30, 2022.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-051. The vote was called. The motion passed unanimously.

7. Reports of Staff and Committees:

A. Planning Update – Alyssa Boles, Planning Manager, Linn County Planning Department.

Ms. Boles provided the Board with a Planning Update for the month of January, 2022. A copy of the report is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Ms. Boles informed the Board that the Planning Department, as to date, had waived approximately \$102,000 in fees for permits related to wildfire recovery.

Commissioner Nyquist stated that he was in Mill City after the County's computer system went down a few weeks ago and asked Ms. Boles if that had created a backlog for the contracted cities to access County's information. Ms. Boles stated that their program Accela, which is Cloud based, was not affected by the shutdown; there was no backlog and it was business as usual.

Commissioner Sprenger asked how the funds for the permits for the wildfire recovery would be replaced and Ms. Boles stated, according to her understanding, that the bulk of the funds would be replaced by federal funds; Darrin Lane, Linn County Administrative Officer, agreed.

Commissioner Tucker asked for Ms. Boles to take a look at a house where the resident was asking for funding for roof damage and he wanted to be sure it was fire damage due to the wildfire. Ms. Boles stated that she would look into it.

B. Request for Refund from Planning Department to Cordle Construction, \$3,252.15.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve the Request for Refund in the amount of \$3,252.15. The vote was called. The motion passed unanimously.

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

A. Resolution & Order 2022-036 approving an Amendment to the Fund Agreement for the Seven Mile Lane Improvement Project between the State of Oregon Department of Transportation (ODOT) and Linn County.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-036. The vote was called. The motion passed unanimously.

B. Resolution & Order 2022-037 approving an Amendment to the Memorandum of Agreement for the North River Drive (County Road No. 0035).

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-037. The vote was called. The motion passed unanimously.

9. Property Management – Rachel Adamec, Linn County Real Property Program Manager.

A. Sealed Bid Opening – Property Account No. 41604.

Ms. Adamec stated that this property did not need to go through the auction process due to the lot size and zoning.

Ms. Adamec then opened the sealed bid and read it into the record as follows:

1. Letter addressed to Property Management. The bid was received from Teri Lyn Beckner in the amount of \$100 plus recording fees. Included was a deposit check for 10 percent down of \$10.

Ms. Adamec stated that the County also owns the property south of this property which was being used as Parkwoods Drive. She stated that the Beckner's fence was on that tax lot and that she had asked Ms. Beckner to move it back two to three feet. Commissioner Tucker stated he would want to make that a condition of acceptance of her offer.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to accept the Beckner's offer of \$100 plus recording fees with the caveat that they commit to moving their fence off the County's property. The vote was called. The motion passed unanimously.

B. Purchase offers for Property Account No. 928182 – 3111 Burdell Blvd, Lebanon, OR.

Ms. Adamec read the offers into the record:

1. C.A.L., LLC - \$40,000
2. BJ Justice - \$65,000
3. John Origer, Apex Property Clearing & Recycling, LLC - \$20,000

Ms. Adamec explained that there were three offers and that all three bidders were aware of the environmental and access issues. They were all provided with Phase 1 and 2 reports and told that the property had no legal access.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve the offer from BJ Justice in the amount of \$65,000. The vote was called. The motion passed unanimously.

C. Continued discussion and Bid Recommendation of the Sweet Home Mill Site sealed bids (Account Nos. 239471; 240222; 258257) *(Continued from Tuesday, February 1, 2022).*

Ms. Adamec stated that the bids were opened last week which were from:

1. Sweet Home Real Estate Restorations, LLC – Joshua Victor - \$800,000.
2. Sweet Home Mill Site, LLC – Scott Lepman - \$450,000.

She stated that she had discussed the contents of the bids with the County Attorney's office and it was determined that the contents of the bid offer from Scott Lepman was non-compliant; it was a counter-offer that changed the terms, timeline of payment and the type of deed the County would issue. Ms. Adamec then recommended that the Board accept the offer from Joshua Victor for \$800,000; it was the highest bid.

Commissioner Nyquist also stated that Mr. Victor's offer was a cash offer and Ms. Adamec stated that she had received a cashier's check for \$800,000; she just needed the recording fee from Mr. Victor of \$110.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to accept the bid from Sweet Home Real Estate Restoration, LLC (Joshua Victor). The vote was called.

Commissioner Sprenger, for the record, confirmed with Ms. Adamec that she was very clear when she published the requirements and the criteria in which this bid would be accepted and that one of the bids did not meet the criteria. Ms. Adamec stated yes and also stated that Scott Lepman submitted another envelope of information, which came in after the bids were opened last week, and he stated that it would change his offer. However, it was determined by the County Attorney's office that it should not be considered and the envelope was not opened.

Commissioner Nyquist provided the history regarding the Sweet Home Mill Site property and how we got to where we were today. He stated that today the Board found themselves in a position that they have a cash offer for this property. Commissioner

Nyquist stated that he was aware of a letter received on Friday, February 4, 2022 from the City of Sweet Home in regards to a pre-purchasers agreement with the Department of Environmental Quality (DEQ). He stated that it was not included in the specifications when the County went out for bid and, although he appreciated that input, he was inclined to vote for the motion as presented. Discussion followed.

The motion passed unanimously.

Ms. Adamec informed the Board that she had a Resolution & Order prepared for today if the Board approved the sale and was ready to sign the deed. She stated that the deed would not be recorded until five days after payment was received in full.

Resolution & Order 2022-056 approving the sale of tax foreclosed property.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-056 accepting the highest bid and moving forward with the transaction. The vote was called. The vote passed unanimously.

Commissioner Nyquist stated that the Board could not thank Ms. Adamec enough for all her hard work regarding this matter.

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

11. 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 2022-046 appointing members to the Linn County Insurance Committee.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution 2022-046. The vote was called. The motion passed unanimously.

C. Resolution 2022-049 reappointing a member and designating a vacancy on the Linn-Benton Housing Authority.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution 2022-049. The vote was called. The motion passed unanimously.

D. Resolution 2022-053 reappointing members to the Linn County Law Library Committee.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution 2022-053. The vote was called. The motion passed unanimously.

12. Unfinished Business and General Orders:

A. Calendar Update: The Board met with Marion County for a Joint Executive Session on Monday, February 7, 2022 at the Marion County Board Room 555 from Noon – 1:00 p.m. pursuant to ORS 192.660(2)(h).

Commissioner Nyquist stated that no decision was made in that meeting by the Board nor was any anticipated to be made, at this time, as a result of that meeting.

Commissioner Tucker stated that the Board had been working with the City of Sweet Home to donate two acres to the City to be used for shelter by the Family Assistance (and Resource) Center (FAC). The City expressed concerns about accepting that property and, to save the possibility of having a social service group provide services to the Sweet Home residents, it had been proposed that the County donate those two acres to FAC. Commissioner Tucker then asked for the Board's support to continue that effort and to be prepared for a Resolution & Order because, in his request to both the City and FAC, he stated that he wanted to see an agreement of services and commitment between FAC and the City to be sure that the citizens of Sweet Home elected officials were engaged in the process. Commissioner Tucker stated that he had a letter from the Sweet Home City Manager stating that he believed that the Sweet Home City Council would be supportive. Discussion followed.

Commissioner Sprenger stated that she was aware of the letter from the City Manager and, in concept, would be willing to support what the City Council and the citizens of Sweet Home wanted to do. She also stated that she was confident in having Commissioner Tucker continue working with the City for a reasonable solution, but indicated that she wanted to see something in writing from the City Council before the Board acted on this matter.

Commissioner Nyquist stated that one of his concerns was the County inserting themselves in the middle of conversations between local residents and the City of Sweet Home. He believed that it was their conversation, decision and agreement and conditions and not for the County to make. If all parties agreed, he would be willing to sign a deed. Commissioner Tucker agreed.

13. New Business: Commissioner Nyquist stated that yesterday, Monday, February 7, 2022, the Oregon Health Authority (OHA) announced that the mask mandate would end no later than Thursday, March 31, 2022. He stated that, included in that announcement, there was some indication that OHA would pivot to the local health authority. Commissioner Nyquist stated that he wanted to let the public know that he


had no intention of pursuing any local controlled mask mandates for the residents of Linn County once the Oregon Health Authority had lifted their requirements.

14. Announcements: There were no announcements.

15. Business from the Public (3-minute limit per speaker): There was no one present from the public wishing to use this forum neither in person or telephonically.

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


The next regular public meeting of the Board of Commissioners is scheduled at 9:00 a.m. on Tuesday, February 15, 2022.

, Recorder
For Board of Commissioners
Marsha Meyer

LINN COUNTY BOARD OF COMMISSIONERS


Roger Nyquist, Chairman


William C. Tucker, Commissioner


Sherrie Sprenger, Commissioner

Date 2-15-2022