



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
TUESDAY MEETING
LINN COUNTY COURTHOUSE – ROOM 200
JANUARY 18, 2022**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, January 18, 2022.

Those present at various times for the matters as indicated below were: Todd Noble, Linn County Health Services Administrator; Dr. William Muth, Linn County Health Officer (*via teleconferencing*); Shane Sanderson, Linn County Public Health Program Manager; Wayne Mink, Linn County Roadmaster; Daineal Malone, Engineer, Linn County Road Department; Kevin Groom, Civil Engineer, Linn County Road Department; Andrew Potts, Civil Engineer, Linn County Road Department; Randy Porter, Linn County Fair and Expo Director; Bill Palmer, Linn County Accounting Officer; Michelle Hawkins, Linn County Treasurer; Jodi Gollehon, Deputy County Attorney for Linn County; Kevan McCulloch, Deputy County Attorney for Linn County; Alysia Rodgers, Economic Development Catalyst, City of Lebanon; other audience members for the bid opening and for the public hearing; Alex Paul, Linn County Communications Officer and Troy Shinn, Reporter for Democrat-Herald.

1, 2, 3. At 9:00 a.m. Chairman Nyquist called the meeting to order. The flag salute and roll call followed. Commissioners Roger Nyquist, Chair and Will Tucker, Vice Chair were present, as well as, Darrin L. Lane, Linn County Administrative Officer (*via teleconferencing*) and Marsha Meyer, Recorder for the Board of Commissioners. Commissioner Sherrie Sprenger was excused.

4. Approval of Agenda.

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

5. Approval of the January 11, 2022 Commissioners' Meeting Minutes.

Action – Commissioner Tucker moved to approve the January 11, 2022 Commissioners' Meeting Minutes. The vote was called. The motion passed.

Commissioner Nyquist moved to Agenda Item No. 8-A. *(This item is located on Page 4).*

6. Board of Health – Todd Noble, Linn County Health Services Administrator.

A. Communicable Disease and Vital Statistics Reports – Dr. William Muth, Linn County Health Officer *(via teleconferencing)*.

Dr. Muth provided the Board with an overview of the Communicable Disease and Vital Statistics Reports for December, 2021. A copy of the reports are on file in the Linn County Clerk's Office in the Commissioners' Staff file.

Dr. Muth provided an update regarding the statistics of COVID-19 for the Linn County. He stated that there were 1,453 cases; 23 outbreaks and three deaths in Linn County for December, 2021. He also noted that 54 percent of County residents were fully-vaccinated. Discussion followed.

Commissioner Nyquist asked Dr. Muth his projection of when the strain of the virus would peak and Dr. Muth stated that no one could answer that with great precision, however, Washington State expected it to peak at the end of January, 2022 but it was hard to be sure. Commissioner Nyquist thanked him for his honest answer. Discussion continued.

Commissioner Nyquist stated, for the record, that Linn County was fortunate to have Dr. Muth, who is an outstanding Epidemiologist and an expert in his field, to be here during this period in time. Commissioner Nyquist thanked him for his service.

B. Environmental Health Monthly Activity Report – Shane Sanderson, Linn County Public Health Program Manager.

Mr. Sanderson provided the Board with an overview of the Environmental Health Monthly Activity Report for December, 2021. A copy of his report is on file in the Linn County Clerk's Office in the Commissioners' Staff file.

C. Resolution & Order 2022-010 approving a Grant Sub-Award Agreement between Samaritan Lebanon Community Hospital and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved to approve Resolution & Order 2022-010. The vote was called. The motion passed.

D. Resolution & Order 2022-011 approving an Intergovernmental Agreement for mobile crisis services between Benton County and Linn County.

Action – Commissioner Tucker moved to approve Resolution & Order 2022-011. The vote was called. The motion passed.

E. Resolution & Order 2022-012 approving a Grant Agreement between the State of Oregon and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved to approve Resolution & Order 2022-012. The vote was called. The motion passed.

F. Resolution & Order 2022-016 approving an Intergovernmental Agreement for the financing of community mental health, addiction treatment, recovery and prevention and program gambling services (Contract No. 173142) between the State of Oregon, Oregon Health Authority and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved to approve Resolution & Order 2022-016. The vote was called. The motion passed.

G. Resolution & Order 2022-017 approving an Intergovernmental Agreement between the State of Oregon, Oregon Health Authority and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved to approve Resolution & Order 2022-017.

Commissioner Nyquist asked Mr. Noble if this Agreement included the County's oversight of the placement of residents in group homes. Mr. Noble replied, yes, and when the County gets people coming out of the State Hospital, the County looks for bed placements and care coordination.

The vote was called. The motion passed.

H. Resolution & Order 2022-022 approving an Amendment No. 4 to a Personal Services Contract for public health services between Intercommunity Health Plans, Inc. and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved to approve Resolution & Order 2022-022. The vote was called. The motion passed.

Commissioner Nyquist continued the discussion in regard to Agenda Item No. 6-G. He stated that, if the State Hospital was closed and there were no beds available what was Linn County trying to do and why. Mr. Noble stated that when someone is ready to come out of the State Hospital and they are told they need to go, the County has to help locate a place for them otherwise the State charges the County. Mr. Noble stated that this matter was actually before the legislature. Discussion continued.

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

A. Bid Opening – Thomas Creek-Richardson Gap Rd (Shimanek) Covered Bridge Rehabilitation Project.

Mr. Mink asked Daineal Malone, County Engineer, Linn County Road Department to present the bids. Ms. Malone proceeded to read the bids into the record as follows:

1. Stellar J Corporation, Woodland, WA – \$3,098,999.99
2. Marcum & Sons, Redmond, OR – \$2,993,068.34
3. Legacy Contracting, Inc. – Stayton, OR - \$2,869,908.93

The Road Department will review the bids and come back next week, Tuesday, January 25, 2022 with the Roadmaster's recommendation. Commissioner Nyquist thanked everyone who submitted a bid.

B. Resolution & Order 2022-019 approving a traffic control regulation on a certain Linn County Road (McFarland Road) County Road No. 011s, No Parking.

Action – Commissioner Tucker moved to approve Resolution & Order 2022-019. The vote was called. The motion passed.

8. Reports of Staff and Committees:

A. Fair/Expo Update – Randy Porter, Linn County Fair and Expo Director.

Mr. Porter provided the Board with a Fair/Expo Update for the month of December, 2021. A copy of his report is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Mr. Porter referred to a thank you letter from the Christmas Storybook Land President dated January 5, 2022 in regard to the Fair and Expo's partnership with them. Mr. Porter stated they had a drive-through event instead of a walk-through event and they did really well.

9. Linn County Quarterly Financial Report as of December 31, 2021 – Bill Palmer, Linn County Accounting Officer and Michelle Hawkins, Linn County Treasurer.

Mr. Palmer reviewed the Quarter Financial Report with the Board. A copy of his report is on file in the Linn County Clerk's Office in the Commissioners Staff File.

Commissioner Tucker stated that the report was great news. Commissioner Nyquist stated that the level of activity was substantially different than two years ago. Mr. Palmer agreed and stated that it reflected overall conservatism on the County's part by holding back on spending. Commissioner Nyquist stated that the take away was the County was in a solid position to meet or exceed performance in regard to the budget and Commissioner Nyquist stated that the Elected Officials, Department Heads and everyone who works for the County sees the importance of it; good work to everyone in that regard.

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

11. Special Orders:

A. Personnel Action Forms.

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

12. Unfinished Business and General Orders: There were no unfinished business to come before the Board.

A. Calendar Update: The Commissioners updated their calendars.

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

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.

Commissioner Nyquist recessed the regular Board meeting at 9:38 a.m.

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

16. Public Hearing – *(Continued from Tuesday, December 28, 2021 for Deliberations and Decision)* – BC20-0001 Northrock, Inc. A hearing on remand by the Oregon Land Use Board of Appeals (LUBA) of Linn County Ordinance 2020-167 and Resolution & Order 2020-166, which approved applications for a Comprehensive Plan Text Amendment to include a proposed 40-acre expansion of an existing 19.47-acre aggregate quarry in the Linn County aggregate inventory as a significant aggregate resource site; an Aggregate Resource Overlay (ARO) Zone Amendment to apply the ARO to the proposed mining area and surrounding ARO impact area and a development permit for aggregate mining and processing on the subject 40-acres – Alyssa Boles, Planning Manager, Linn County Planning and Building Department.

Commissioner Nyquist called upon Ms. Boles to provide background information.

Ms. Boles stated this matter was continued from a Public Hearing on December 28, 2021 leaving the record open for comment periods of seven days to submit comments; seven days to submit responses; and, a six-day period to submit rebuttal. The Board was provided with two memos; one dated January 6, 2022 with two comments; and, another memo dated January 12, 2022 with two responses. She stated that the Applicant did not submit any final rebuttal regarding this matter. Ms. Boles stated that her office did receive two comments after the comment period which are contained in the file.

Action – Commissioner Tucker moved to accept into the record two document packages; one received January 6, 2022 (Exhibit 1); and, documents received on January 12, 2022 (Exhibit 2). The vote was called. The motion passed.

Commissioner Nyquist then asked Ms. Boles to explain the documents that were received outside of the comment timeline and whether or not she was confident there wasn't some error in communication of what the comment timelines were, including whether or not there were any electronic errors as the Applicant was going to rely on comments electronically. Ms. Boles stated that the two comments received was one from the Appellant and the other was from the Appellant's representative which were submitted on January 18, 2022 responding to the Applicant's responses submitted on January 11, 2022; a week after the timeline to submit responses. Commissioner Nyquist then asked Deputy County Attorney, Kevan McCulloch, if the Board was being consistent in how they were addressing those documents not received within the required timeline. Mr. McCulloch stated that the Board established the timeline at the December 28, 2021 Public Hearing and those documents should not be part of the record.


Action – Commissioner Tucker moved that the record be closed and to close the Public Hearing. The vote was called. The motion passed.

The Board then deliberated on the matter. Commissioner Tucker stated that he had read documents going back to the appeal and was confident that the Board had received the material needed to address the remand.

Action – Commissioner Tucker moved to approve BC20-0001 and asked that the representatives of Northrock, Inc. assist Staff in completing the findings. The vote was called. The motion passed 2-0.

14. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 10:06 a.m. by unanimous consent.

The next regular public meeting of the Board of Commissioners is scheduled at 9:30 a.m. Tuesday, January 25, 2022.

, Recorder
For Board of Commissioners
Marsha Meyer

LINN COUNTY BOARD OF COMMISSIONERS


Roger Nyquist, Chairman


William C. Tucker, Commissioner

ABSENT

Sherrie Sprenger, Commissioner

Date 1-25-2022