



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
TUESDAY MEETING
LINN COUNTY COURTHOUSE – ROOM 200
JULY 5, 2022**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, July 5, 2022.

Those present at various times for the matters as indicated below were: Dee Baley-Hyder, Linn County Veterans' Services Officer; Michelle Duncan, Linn County Sheriff; Sergeant Steven Frambes, Linn County Sheriff's Office; Phillip Van Leuven, Deputy County Attorney for Linn County; Andy Stevens, Linn County Assessor; Wayne Mink, Linn County Roadmaster; William and Diana Banks, Owners of Recycling Depot, Inc.; Alex Paul, Linn County Communications Officer; various audience members and Joanna Mann, 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; William C. Tucker, Vice-Chair and Commissioner Sherrie Sprenger were present, as well as, Darrin L. Lane, Linn County Administrative Officer and Heather Gravelle, Recorder for the Board of Commissioners.

4. Approval of Agenda.

Commissioner Nyquist noted that Randy Porter, Linn County Fair and Expo Director, was extremely busy preparing for the 2022 Linn County Fair and he would not be providing the Fair/Expo Update today. Commissioner Nyquist stated that he recommended tabling it to the first Board meeting after the Fair. The Board concurred.

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

5. Approval of the June 21, 2022 and June 23, 2022 Commissioners' Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve the June 21, 2022 and June 23, 2022 Commissioners' Meeting Minutes. The vote was called. The motion passed unanimously.

6. Reports of Staff and Committees:

A. Fair/Expo Update – Randy Porter, Linn County Fair and Expo Director. (This item was removed from the agenda).

B. Veterans' Services Quarterly Update – Dee Baley-Hyder, Linn County Veterans' Services Officer.

Ms. Baley-Hyder provided the Board with a quarterly update which is on file in the Linn County Clerk's Office in the Commissioners' Staff File. She explained that they served over 9,000 veterans and that the total veteran population in Linn County, as of 2021, was 11,047. Ms. Baley-Hyder stated that they had received an \$11,000 Transportation Grant from the Oregon Department of Veterans Affairs that they utilize to transport veterans to medical appointments, procedures or surgeries. She added that, when the money ran out, they would potentially not be able to continue providing the service.

Discussion followed regarding providing Veterans Services with General Funds up to \$20,000 in order to continue providing the much needed transportation. Commissioner Nyquist stated that there was a contingency built into the budget for unforeseen items and that transporting veterans should be funded. The Board concurred. Ms. Hawkins stated that the transportation grant would run out in April, 2022 and that she would add a transportation line item at that point and would work with Ms. Baley-Hyder on the matter. The Board thanked Ms. Baley-Hyder for her work and the update.

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

Sheriff Duncan provided the Board with details regarding the item below.

A. Resolution & Order 2022-245 approving an Intergovernmental Agreement for housing inmates in the Linn County Jail between Benton County and Linn County and delegating authority to the Linn County Sheriff.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-245. The vote was called. The motion passed unanimously.

8. Assessor's Office - Andy Stevens, Linn County Assessor.

Mr. Stevens provided the Board with an overview of Resolution & Order 2022-262.

A. Resolution & Order 2022-262 approving an Intergovernmental Agreement between the Department of Revenue and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-262. The vote was called. The motion passed unanimously.

9 Road Department – Wayne Mink, Linn County Roadmaster.

Mr. Mink provided the Board with information regarding the item below.

A. Resolution & Order 2022-239 delegating authority to Wayne E. Mink, Roadmaster, to purchase a dump body, snow plow and hydraulics mounted on a Linn County provided chassis.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-239. The vote was called. The motion passed unanimously.

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 & Order 2022-243 approving the sale of tax foreclosed property by private sale.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-243. The vote was called. The motion passed unanimously.

C. Resolution 2022-248 appointment of a Linn County Budget Officer .

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution 2022-248. The vote was called. The motion passed unanimously.

D. Resolution 2022-249 reappointing a member to the Linn County Budget Committee.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution 2022-249.

Commissioner Nyquist questioned what was the Board's intent moving forward in regard to appointing folks to committees/boards. Commissioner Sprenger stated that she valued the expertise and knowledge that those who had been on a committee for fifteen or twenty years, but that she sees value in bringing in new volunteers periodically for a fresh perspective.

Commissioner Tucker noted that he appreciated the outreach process of finding volunteers. He added that he would support continuing that process where each Board member champions for one person to be appointed to the Budget Committee. Commissioner Tucker stated that, in regard to term limits, he was open to setting a limit. Commissioner Nyquist thanked them for the conversation.

The vote was called. The motion passed unanimously.

E. Resolution 2022-250 reappointing members and designating a vacancy on the Linn County Historical Museum Advisory Commission.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution 2022-250. The vote was called. The motion passed unanimously.

F. Resolution 2022-256 appointing and reappointing members to the Linn County Ambulance Service Area Advisory Committee.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution 2022-256. The vote was called. The motion passed unanimously.

G. Resolution & Order 2022-257 approving a Personal Services Contract between 10D Tech (Avaya IP Office Phone System) and Linn County and delegating authority to execute originals.

Greg Hart, Linn County General Services, provided the Board with details regarding this matter.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-257. The vote was called. The motion passed unanimously.

H. Resolution & Order 2022-260 approving a First-Time Youth Wage Grant Agreement between Linn County and Lebanon Aquatic District.

Action Taken Below.

I. Resolution & Order 2022-261 approving a First-Time Youth Wage Grant Agreement between Linn County and Cascade Timber Consulting, Inc.

Action Taken Below.

J. Resolution & Order 2022-270 approving a First-Time Youth Wage Grant Agreement between Linn County and The Point Restaurant & Lounge.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Orders 2022-260, 261 and 270. The vote was called. The motion passed unanimously.

12. Unfinished Business and General Orders:

A. Calendar Update: The Commissioners updated their calendars and Commissioner Tucker noted that both he and Commissioner Nyquist may be at the Western University of Health Sciences Northwest Ribbon Cutting event on Saturday, July 9, 2022.

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

14. Announcements: It was announced that there will be a Management Staff meeting held on Wednesday, July 6, 2022 at 11:30 a.m. at the Fair/Expo Center, 3700 Knox Butte Rd, NE, Albany in Conference Rooms 3 and 4.

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. In the matter of a Hearing regarding William and Diana Banks, The Recycling Depot, Inc. according to LCC Title 10; Subtitle 3 – Policy 6.200(C)(3)(a).

Diana Banks, Co-Owner, Recycling Depot, Inc. explained that she did not know why they were here today and thought it was because of record issues. She then provided the Board with a copy of their (expired) dismantling certificate received from the Oregon Department of Motor Vehicles. Ms. Banks also distributed a polaroid picture of a damaged vehicle and an article from the "Tell & Sell" newspaper dated Thursday, June 23, 2022. The certificate, polaroid picture and newspaper article are on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Ms. Banks stated that it was her understanding that they did not have to provide proof of ownership of any vehicle that was valued at \$500 or less. Commissioner Nyquist noted that the Board had received a memo from Phillip Van Leuven, Deputy County Attorney for Linn County, regarding their \$500 or less claim.

Commissioner Nyquist then read aloud from the memo, stating that Oregon Dismantlers must obtain records of lawful possession of a vehicle or possess records of notification

to last known registered owners prior to accepting and disposing of any vehicle regardless of appraised value. Commissioner Nyquist explained that the application was recommended for non-renewal because the Banks were not following the statutes as they existed.

Ms. Banks replied that there were many businesses that were not following the rules and pointed to the newspaper article that she had distributed to the Board which had an ad for “junk cars – no title required.” Commissioner Nyquist noted that they were here today regarding the Banks license, not the article.

William Banks, Co-Owner, Recycling Depot, Inc. stated that many businesses were doing it and that they were making a fortune and did not require titles. Commissioner Nyquist stated that the law states that they can't take the vehicles without attempting to obtain a title. Mr. Banks responded that Linn County needed him; he had been in the business for over thirty years and he was cleaning up the County. Commissioner Tucker stated that, due to how long the Banks had been doing business in Linn County, he would be comfortable approving the license if they would commit to adhering to the law moving forward. Discussion followed.

Phillip Van Leuven, Deputy County Attorney for Linn County, explained that there did need to be documentation on file, not necessarily a title, but at least proof of valid ownership. He stated that the County has authority on the matter in regard to the business operating legally and following health code, fire code, land use code and having the proper documentation showing that none of the items had been stolen. Mr. Van Leuven added that the State of Oregon had the final authority on the matter and would make the final decision even if the County approved it. Extensive discussion followed.

Action – Commissioner Sprenger moved and Commissioner Tucker seconded the motion to approve the Wrecking License/Dismantler Certificate for The Recycling Depot, Inc. contingent upon the Banks submitting a compliance plan that is approved by the State of Oregon Department of Motor Vehicles. The vote was called. The motion passed unanimously.

17. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 11:10 a.m. by unanimous consent.


The next regular public meeting of the Board of Commissioners is scheduled at 9:30 a.m. on Tuesday, July 12, 2022.

 Recorder
For Board of Commissioners
Heather Gravelle

LINN COUNTY BOARD OF COMMISSIONERS


Roger Nyquist, Chair


William C. Tucker, Vice-Chair


Sherrie Sprenger, Commissioner

Date 7-12-2022