



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
TUESDAY MEETING
LINN COUNTY COURTHOUSE – ROOM 200
JULY 12, 2022**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, July 12, 2022.

Those present at various times for the matters as indicated below were: Wayne Mink, Linn County Roadmaster; Daineal Malone, County Engineer, Linn County Road Department; Kevin Groom, Civil Engineer, Linn County Road Department; Andrew Potts, Civil Engineer II, Linn County Road Department; Doug Marteeny, Linn County District Attorney; Andy Stevens, Linn County Assessor; Gene Karandy, County Attorney for Linn County; Steve Wills, Linn County Planning & Building Department Director; Alyssa Boles, Planning Manager, Linn County Planning & Building Department; Reagan Maudlin, Linn County Rural/Special Transportation Coordinator; Michelle Hawkins, Linn County Treasurer; Rebecca Grizzle, Executive Director, Lebanon Chamber of Commerce; Alysia Rodgers, Economic Development Catalyst, City of Lebanon; Adina Olivares, Council President, City of Sodaville; Alex McHaddad, Recorder, City of Sodaville; other audience members; Alex Paul, Linn County Communications Officer 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 Marsha Meyer, Recorder for the Board of Commissioners.

4. Approval of Agenda.

Commissioner Nyquist asked the Board to consider adding two discussion items to the agenda. He asked that one, under Item No. 15 – “Unfinished Business and General Orders”, adding Item No. 15-B for a brief update on the AMEDC/LEDG Intermodal Project; and, two adding Item No. 15-C to discuss a request received during the Budget hearings of economic dollars in the amount of \$11,750 that the Budget Committee had concluded was outside the Budget process. Commissioner Nyquist then stated that all the parties were in the room today to have the conversation in order to make a decision on that matter.

Next, Commissioner Nyquist asked the Board to also consider adding a discussion under Item No. 16 – “New Business” with the representatives from the City of Sodaville who were in the audience. Commissioner Tucker stated that he understood that the representatives from the City of Sodaville had an appointment which may be a conflict for them should they wait to be heard under Item No. 16 and, therefore, requested that Item No. 16 be moved to the front of the agenda.

Commissioner Nyquist then asked the pleasure of the Board.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve adding agenda Item Nos. 15-B and 15-C and moving Item No. 16 – “New Business” to be heard after approving the meeting minutes (Item No. 5). The vote was called. The motion passed unanimously.

5. Approval of the July 5, 2022 Commissioners’ Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve the July 5, 2022 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 to come before the Board.

Commissioner Nyquist then moved to Item No. 16 – New Business as it pertained to the City of Sodaville. Commissioner Nyquist then recognized the two representatives from the City of Sodaville: Alex McHaddad, Recorder, 30723 Sodaville Road, Lebanon, Oregon; and, Adina Olivares, Council President, 30681 West View St., Lebanon, Oregon.

Mr. McHaddad stated that the City had had a rough year but was able to take care of some budget challenges and had digitized all the City’s Resolutions and Orders making it more modernized to be able to operate smoothly and making it more accessible to the public. Recently, they’ve installed radio water meters to better track the water usage but are still working on a long-term solution to improving the City’s water problems.

Commissioner Sprenger asked Mr. McHaddad to give a brief explanation of the issues with Sodaville’s water problems. Mr. McHaddad stated that Sodaville doesn’t have a lot of water in the area to tap into and the aquifers don’t have a lot of water coming out so water has had to be trucked into town from the City of Lebanon. Ms. Olivares added that the water restrictions were pretty severe; they can use indoor water and water for edible planting only. Discussion followed.

Commissioner Tucker recommended that both Mr. McHaddad and Ms. Olivares take a few minutes to speak with Alysia Rodgers, Economic Development Catalyst, City of Lebanon, before they left as she was also in the audience. Commissioner Sprenger stated that she was encouraged and optimistic looking forward to partnering with both Mr. McHaddad and Ms. Olivares on this issue.

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

A. Bid Opening – Mill Creek-Folsom Road Bridge Replacement Project.

Mr. Wayne asked that Daineal Malone, Linn County Engineer, open and present the bids to the Board. Andrew Potts, Linn County Civil Engineer II, distributed a bid sheet to the Board. The sealed bids were opened as follows:

1. BENT, LLC, Scio, OR - \$768,386.80
2. Marcum and Sons, LLC, Redmond, OR - \$786,271.40
3. HP Civic, Inc., Salem, OR - \$1,318,637.90
4. Oregon State Bridge Construction, Inc. – Stayton, OR - \$1,001,507.50
5. Farline Bridge, Inc., Stayton, OR - \$919,689.00
6. Waldron and Sons, Inc., Bend, OR - \$872,316.61

Ms. Malone stated that they would evaluate the bids and then come before the Board with a recommendation.

B. Resolution & Order 2022-266 approving an Engineering and Related Services Contract between David Evans & Associates and Linn County and delegating authority to execute the contract.

Mr. Wink stated that this item was for Goldfish Farm Road and Cox Bridge as part of the bigger Goldfish Farm Road project.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-266.

Commissioner Nyquist asked if the City of Albany had acquired the necessary right-of-way to do this project. Mr. Mink stated that this Resolution and Order was for the bridge and then, going forward, Linn County would acquire the right-of-way for the road project. Commissioner Nyquist referred to Darrin Lane, Linn County Administrative Officer (former Roadmaster), who added that the road project was being funded by a grant through the MPO (Metropolitan Planning Organization). Commissioner Nyquist stated that, even though he would vote yes on this matter, he was still concerned about the inter-workings of the County's relationship with the City of Albany and the development of both Goldfish Farm Road and Three Lakes Road east of the freeway in Albany. He recommended having a meeting with the City of Albany regarding these projects.

The vote was called. The motion passed unanimously.

C. Resolution & Order 2022-271 approving an Intergovernmental Agreement for Project Management, Engineering Services and Contract Administration between the City of Mill City and Linn County.

Mr. Mink stated that this was in regard to the repairs of the Cedar Creek pedestrian trail bridge that was damaged in the 2020 wildfires. The County agreed to provide engineering support.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-271. The vote was called. The motion passed unanimously.

8. District Attorney's Office – Doug Marteeny, Linn County District Attorney.

A. Resolution & Order 2022-188 authorizing the publication and distribution of Request for Proposals for the Linn County District Attorney Case Management System Replacement.

Mr. Marteeny stated that this matter was discussed at the time of his budget presentation. Steve Braaten, Linn County ITS Director, recommended they get the next generation of software as the current case management software would no longer be supported.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-188. The vote was called. The motion passed unanimously.

9. Assessor's Office – Andy Stevens, Linn County Assessor.

A. Resolution & Order 2022-273 approving a Professional Services Contract for computer services between Helion Software, Inc. and Linn County and delegating authority to execute originals.

Mr. Stevens stated that this Resolution & Order would renew the current annual contract with Helion software.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-273. The vote was called. The motion passed unanimously.

10. County Attorney's Office – Gene Karandy, County Attorney for Linn County.

A. 1st Reading of Ordinance No. 2022-253 approving an Ordinance adopting the Linn County Psilocybin Product Manufacturers and Service Center Operators Code.

Mr. Karandy stated that this Ordinance was in response to the Board's discussion on Tuesday, June 21, 2022 in regard to Measure 109 which was passed in 2020 authorizing psilocybin service centers and manufacturing throughout the State of Oregon in response to the board and Measure 101. He stated that, even though the State overwhelming approved the measure, it was not passed within Linn County. Measure 109 allows local jurisdictions to consider a proposed ordinance that would limit, either or both, manufacturing and service centers within their jurisdictions.

Mr. Karandy stated that if the Board adopted, under Measure 109, the proposed ordinance, it would need to go to an election of the voters on Tuesday, November 8, 2022 and, if it was approved by the voters, the manufacturing and service centers would

not be authorized within the unincorporated cities within Linn County; it would not affect any city jurisdictions. Mr. Karandy then proposed the 1st Reading of Ordinance No. 2022-253 be read by title only unless the Board wanted the full reading.

Mr. Karandy continued with the 1st Reading by title only and stated that the 2nd Reading would be conducted on July 26, 2022.

Commissioner Tucker stated that he had a conversation yesterday with Alyssa Boles, Linn County Planner, about other communities and counties that were doing the similar action and he asked if Ms. Boles had an idea of how many other counties were considering similar ordinances. Ms. Boles stated that she prepared an email this morning that provided those numbers to the Board. Commissioner Tucker stated that Linn County had been contacted by national media groups regarding this matter. Discussion followed.

Mr. Karandy stated that, if the Board approved the ordinance on Tuesday, July 26, 2022, the Resolution & Order to approve the ballot title would be before them at that same time and the proper forms would be filed with the Linn County Clerk's Office to start the ballot process to get it placed on the ballot.

Commissioner Tucker stated that he would like the ordinance to be available for the public to review. Mr. Karandy stated that it was available.

11. Planning & Building Department – Steve Wills, Linn County Planning & Building Department Director.

A. Resolution & Order 2022-267 approving a Personal Services Contract between Avocette Technologies, Inc. and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-267. The vote was called. The motion passed unanimously.

B. Request for Refund from the Planning & Building Department to Udel Engineering & Land Services, \$1,500.

Mr. Wills informed the Board that this was an overpayment by Udel Engineering & Land Services.

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

12. Special Transportation – Reagan Maudlin, Linn County Rural/Special Transportation Coordinator.

Ms. Maudlin stated that the following items had been heard by the Board on Tuesday, May 10, 2022 and were approved for Special Transportation Funding. The following were the agreements:

A. Resolution & Order 2022-211 approving a Subrecipient Agreement for Special Transportation Services between Linn County and Sunshine Industries Unlimited, Inc., \$29,760.

Action Taken Below.

B. Resolution & Order 2022-213 approving a Subrecipient Agreement for Special Transportation Services between Linn County and Volunteer Caregivers, \$53,261.

Action Taken Below.

C. Resolution & Order 2022-214 approving a Subrecipient Agreement for Special Transportation Services between Linn County and Oregon Mennonite Residential Services, \$6,500.

Action Taken Below.

D. Resolution & Order 2022-215 approving an Intergovernmental Agreement for Special Transportation Services between Linn County and City of Albany/Albany Call-A-Ride, \$25,000.

Action Taken Below.

E. Resolution & Order 2022-217 approving an Intergovernmental Agreement for Special Transportation Services between Linn County and City of Lebanon Dial-A-Bus/LINX, \$45,000.

Action Taken Below.

F. Resolution & Order 2022-247 approving a Subrecipient Agreement for Special Transportation Services between Linn County and Senior Citizens of Sweet Home dba Dial-A-Bus, \$25,000.

Action Taken Below.

G. Resolution & Order 2022-252 approving a Subrecipient Agreement for Special Transportation Services between Linn County and Senior Citizens of Sweet Home, Inc. dba Linn Shuttle, \$98,000.

Action Taken Below.

H. Resolution & Order 2022-258 approving an Intergovernmental Agreement for Special Transportation Services between Linn County and Oregon Cascades West Council of Governments, \$18,000.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Orders 2022-211, 213, 214, 215, 217, 247, 252 and 258. The vote was called. The motion passed unanimously.

13. Correspondence: Commissioner Tucker stated that the Board signed a letter dated Friday, July 8, 2022, to the Recycle Depot, Inc., based upon the results of last week's Board meeting, giving them a contingent approval of their wrecking license renewal. Next, Commissioner Tucker presented to the Board a Letter of Support for the Catholic Charities who have become very active in the Santiam Canyon and North Canyon. They are asking for grant funding for a Community Health Worker and asked the Board to sign the letter giving their support.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve and sign the Letter of Support and to enter into the record the letter that accompanied the application to the Recycle Depot, Inc. (dated Friday, July 8, 2022).

In regard to the Letter of Support for the Catholic Charities, Commissioner Nyquist stated that he trusted that Commissioner Tucker understood the grant and that it was appropriate for the Board to give their support. Commissioner Tucker stated that the long-term recovery team of the canyon had made the request for the Board to support those organizations as FEMA begins to pull back and as they attempt to get the funding to keep case workers in order to help the residents continue to file insurance claims and other documents with the different agencies. He stated that the Catholic Charities had been vetted by the long-term recovery group.

Commissioner Sprenger stated that she had not seen an email from the Catholic Charities nor was she familiar with the agency. So, in the future, she would like to be contacted by the organizations to hear their requests in order to understand what they are asking for and what is needed. Commissioner Tucker stated that he always brings these type of matters to the Board and sends a draft for the Board's review prior to approval.

The vote was called. The motion passed.

Commissioner Nyquist clarified, for the record, that the motion was passed to sign the Letter of Support as was just discussed and to enter into the record the letter that the Board signed that accompanied the application by the Recycling Depot, Inc.

14. 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 2022-265 amending a classification for Corrections Registered Nurse (DSA-Pay Range 20).

Darrin Lane, Linn County Administrative Officer, provided information regarding this item and stated that, in part, it was amended for recruitment and retention purposes.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2022-265.

Commissioner Nyquist added that this was a result of ongoing challenges the Sheriff's Office has had in filling this position and concluding that they were under market and needed to be able to compete as this was a position that needed to be filled. Darrin concurred.

The vote was called. The motion passed unanimously.

15. Unfinished Business and General Orders:

A. Calendar Update: The Commissioners updated their calendars. Commissioner Nyquist stated that he would not be at the Tuesday, August 9, 2022 Board meeting. Commissioner Tucker stated that he would not be at the Tuesday, July 19, 2022 Board meeting as he was having eye surgery.

Commissioner Tucker noted that there was a solid waste proposal potentially scheduled on Tuesday, July 19, 2022 agenda and asked that the Board consider moving it out a couple of weeks so he could be present for the discussion. Commissioner Nyquist stated that he would take that into consideration.

Commissioner Nyquist announced the County Fair would begin on Thursday, July 14th through Saturday, July 16, 2022 and that there would be a chance that all three Board members could be in the same place at one time but would not be talking about County or public business during those times.

B. Commissioner Nyquist gave an update on the intermodal project. He stated that the facility was essentially built and that the only thing keeping it from opening was a gas line that Kinder Morgan has that runs under the ground in the proximity of where a rail line was being added so we are waiting for them to protect that line before moving forward. Commissioner Nyquist stated that AMEDC's (Albany-Millersburg Economic Development Corp.) latest revision to ODOT was that it would be completed by the end of September, 2022 but it could be sooner than that; the opening date is a moving target. He stated that every indication to the team that will be opening the facility was positive and they are hoping it will happen at a time that the ag industry will be able to utilize the facility.

C. Commissioner Nyquist stated that the Board had received a request for \$11,750 during the budget hearings and the Budget Committee determined that it was an economic development conversation. He then gave a history of Linn County's economic development program and how the monies were spent. He stated that the revenue now was projected at \$800,000. Even with the Board putting funds towards the intermodal project, there was still money to do things such as the request they had received during the budget hearings. Commissioner Nyquist stated that his goal was to have a formula where money was given on a one-time basis and not locked into a formula where everyone got some of the funds.

Commissioner Nyquist stated that, as he understood the proposal, it was a one-time request. He then called upon Alysia Rodgers, who was in the audience, to provide additional information.

Ms. Rodgers Alyssa, Economic Development Catalyst, City of Lebanon and also a representative of the Rural Economic Alliance (REAL). She stated that REAL made the request for \$11,750 for hiring a potential part-time staff person to help further the goals of the group. They have recently received grants through Council of Governments (COG), Rural Operation Initiative through Business Oregon that helped them create and launch their website, rebranding and asset mapping. The next step would be business retention and recruitment. REAL is a group of nine cities between Linn County and Benton County who work together to do rural economic alliance.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to support REAL in the amount of \$11,750. The vote was called. The motion passed unanimously.

Commissioner Nyquist stated a contract would need to be prepared and then the Treasurer could cut them a check.


16. New Business: *This item was heard at the beginning of the Board meeting following Agenda Item No. 6.*

17. Announcements: There were no announcements.

18. 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.

19. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned 10:20 a.m. by unanimous consent.

The next regular public meeting of the Board of Commissioners is scheduled at 9:00 a.m. on Tuesday, July 19, 2022.

, Recorder
For Board of Commissioners
Marsha Meyer

LINN COUNTY BOARD OF COMMISSIONERS



Roger Nyquist, Chair

ABSENT

William O. Tucker, Vice-Chair



Sherrie Sprenger, Commissioner

Date 7-19-2022