

FILED

SEP 11 2024

MARCIE RICHEY, CLERK

By



Clerk



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
LINN COUNTY COURTHOUSE – ROOM 200
TUESDAY, SEPTEMBER 3, 2024**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, September 3, 2024.

Those present at various times for the matters as indicated below were: Michelle Duncan, Linn County Sheriff; Micah Smith, Linn County Undersheriff; Michelle Hawkins, Linn County Treasurer; Steve Wills, Linn County Planning and Building Director; Kate Bentz, Associate Planner, Linn County Planning and Building Department; Todd Noble, Linn County Health Services Director; Diana Denham, Fiscal Services/Health Administrative Manager, Linn County Health Department; Phil Van Leuven, Deputy County Attorney for Linn County; Lynn Merrill; Alan Merrill; Alex Paul, Linn County Communications Officer and Shayla Escudero, 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 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 August 27, 2024 Commissioners' Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve the August 27, 2024 Commissioners' Meeting Minutes. The vote was called. The motion passed unanimously.

6. Reports of Staff and Committees: There was no reports of staff and committees.

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

Micah Smith, Linn County Undersheriff, presented the following item on the Sheriff's behalf.

A. Bid Award Recommendation – Architectural and Engineering Services for the Linn County Jail renovation.

Undersheriff Smith provided background information regarding this item and recommended that the Board award the bid to DLR Group of Oregon. He stated that not only were they the only firm that responded, but they were also involved in the integral work and concept design of getting this project to the point of where it was today.

Action Taken Below.

B. Resolution & Order 2024-314 approving a Construction Contract between DLR Group Architecture and Engineering, Inc. and Linn County.

Undersheriff Smith provided additional information regarding this item.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to accept the Bid Award Recommendation and approval of Resolution & Order 2024-314.

Commissioner Sprenger asked when the work would be completed. Undersheriff Smith stated that they expected it would be completed in July, 2026. He stated that he had conferred with the County Attorney and Darrin Lane, Linn County Administrative Officer, about any funding constraints that could occur, however, they were well within the timeframe of the 2026 deadline. Discussion followed.

The vote was called. The motion passed unanimously.

8. Treasurer's Office – Michelle Hawkins, Linn County Treasurer.

Ms. Hawkins provided background information regarding the following items:

A. Order 2024-295 approving a transfer of certain appropriations within the General Fund, \$10,000.

Mr. Lane clarified that this was a budget item; there was no revenue stream for emergency preparedness. He stated that it would be less than \$1,000 per month to be kept in the budget as a placeholder for when an emergency did happen; making funds available for the emergency team. It would allow the Treasurer to issue a credit card that would be tied to this budget so the emergency team could buy a case of bottled water or feed a volunteer medical team, etc. Mr. Lane stated that the Health Department, while they are well funded in some ways, they could not use these funds for this purpose.

Commissioner Sprenger clarified that a credit card would be capped by the funds the Board would approve today and it would be subject to all of the checks and balances of how that money would be spent. Mr. Lane stated yes. Commissioner Nyquist clarified that the card would be issued to an employee of the Health Department.

Action Taken Below.

B. Order 2024-296 accepting an expenditure of a certain grant within the Health Fund, \$10,000.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Orders 2024-295 and 296. The vote was called. The motion passed unanimously.

C. Order 2024-305 accepting an expenditure of a certain grant within the General Fund, \$27,385.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Order 2024-305. The vote was called. The motion passed unanimously.

D. Order 2024-315 approving a transfer of certain appropriations within the General Fund, \$150,000.

Mr. Lane indicated that he had talked to each Board member individually about the request for \$150,000 from the Developmental Disabilities (DD) Department regarding grant funds for emergency preparedness for “at risk” clients. The DD Department determined to target those who were medically at risk and provide them with support items that would be useful during an emergency. Discussion followed.

Mr. Lane asked the Board to approve the request.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Order 2024-315. The vote was called. The motion passed unanimously.

E. Order 2024-316 accepting an expenditure of a certain grant within the Health Fund, \$150,000.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Order 2024-316. The vote was called. The motion passed unanimously.

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

10. 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 2024-304 approving a First-Time Youth Wage Grant Agreement between Linn County and City of Mill City.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2024-304.

Commissioner Tucker stated that it was great to see a small city qualify as a small business and be able to use the Youth Wage Grant program.

Commissioner Nyquist agreed and stated that the Federal reserve surveyed Portland small businesses about how things were going and 29 percent of those businesses were on the edge and 43 percent expected to lose money this year. One of the problems they cited was the lack of trained workforce. He stated that was, in part, due to the minimum wage ramp up which small businesses and employers are no longer able to hire high school kids. Commissioner Nyquist stated that it was good to see the City of Mill City doing their part. He stated that he liked this program when they started it and likes it even more today as the need is much greater. He hoped to take a look at the program next year in February or March in order to promote the program and to get the numbers to move up; he only hoped the legislature would take it up given the situation with employers.

The vote was called. The motion passed unanimously.

C. Resolution 2024-321 appointing a member on the Linn County Historic Resource Commission.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution 2024-321. The vote was called. The motion passed unanimously.

11. Unfinished Business and General Orders:

A. Calendar Update: The Commissioners updated their calendars. Commissioner Tucker stated that he had received a request from Marion County as they prepare an application for the peer infrastructure grant to support the Mill City-Gates North Santiam sewer project. He asked Mr. Lane to give an update.

Mr. Lane stated that Linn County was allocated a little over \$3 million dollars in funding under the category of Housing Opportunity Program (HOP). The Board had previously agreed that the County would allocate those funds to the sewer project. Mr. Lane

stated that the Board had been asked by the Oregon Housing and Community Services to provide a letter formalizing their desire to have that money go into the sewer project. He asked for the consensus of the Board to prepare a letter that represented the will of the Board.

Commissioner Nyquist indicated that there was a consensus of the Board but indicated that he would state a cautionary note that there are significant challenges with this project that he's had concerns from day one. He stated that, to the extent they could, they've been supportive of the project. However, where the County's able to reach out to dedicated funding streams, they were not in a position to provide significant funding out of Linn County's General Fund or other internal funding streams. Commissioner Nyquist stated that he wanted to restate that for the record.

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

13. Announcement: The Board announced that there would be a Management Staff meeting held on Wednesday, September 4, 2024 at 11:30 a.m. in the Basement Meeting Room at the Linn County Courthouse.

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

Lynn Merrill, 3215 Hannah Ave SE, Albany, OR 97322.

Mr. Merrill asked to provide the Board with a handout for their review. A copy is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

He stated that he had come before the Board a year ago when he was in the process of trying to pick a route up a mountain and he was getting different requirements by the local Fire District and Linn County Road Department. At that meeting, it was decided that they were going to clarify who was in charge and what rules would apply. Mr. Merrill stated that it had been over a year now and the requirements were still not clear. He stated that he has continued to meet with the Fire Department and Linn County staff and he was still getting different answers from both parties. Mr. Merrill stated that he had asked for clarification from County staff, including the County Attorney, and asked that it be clear to all parties what the rule was and how it would be applied. He stated that things were still being held up on the piece property he initially came to the County about due to the differences between the Fire District and Linn County.

Commissioner Nyquist stated that there was a fundamental need to have certainty when a person was spending money to get something accomplished; the rules are what they are at the time of the application and approval. Mr. Merrill stated that he believed it would be good to have some type of an appeal process with the County if one feels they are being unfairly treated; they need to have someone they can go to. Discussion followed.


Commissioner Nyquist stated that he would ask Staff to take this information and consider Mr. Merrill's comments and then respond to the Board with a potential solution. Discussion continued.

Mr. Merrill stated that he had, over the last year, incurred tens of thousands of dollars in cost on this property, due to the lack of clarity, and he asked the Board to look into and see if there's a Board action that needed to happen in this matter.

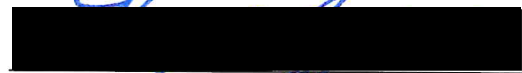
Commissioner Nyquist stated that it would be reasonable to ask Staff about the points Mr. Merrill had made and for them to find a solution.

15. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 10:05 a.m. by unanimous consent.

The next regular public meeting of the Board of Commissioners is scheduled at 9:30 a.m. Tuesday, September 10, 2024.

 Recorder
For Board of Commissioners
Marsha Meyer

LINN COUNTY BOARD OF COMMISSIONERS



Roger Nyquist, Chair



William C. Tucker, Vice-Chair



Sherrie Sprenger, Commissioner

Date 9-10-2024