



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
LINN COUNTY COURTHOUSE – ROOM 200
TUESDAY, JULY 11, 2023**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, July 11, 2023.

Those present at various times for the matters as indicated below were: Dee Baley-Hyder, Linn County Veterans Services Officer; Steve Wills, Linn County Planning and Building Director; Michelle Hawkins, Linn County Treasurer; Andy Stevens, Linn County Assessor; Amy Holt, Administrative Assistant II, Linn County Tax Assessor's Office; Doug Marteeny, Linn County District Attorney; Kim Norris, Linn County District Attorney Operations Supervisor; Todd Noble, Linn County Health Services Administrator; Terri McQueen, Contracts/Recruitment Manager, Linn County Health Department; Shane Sanderson, Public Health Program Manager; Karen Guilford, Interim Information Technology Director; Kevan McCulloch, Deputy County Attorney for Linn County; Alex Paul, Linn County Communications Officer; Danielle Groves, a partner of Merina & Co; Julie Jackson, Municipal & Community Relations Manager for Republic Services; Carson Kuenzi, Vice President for Pacific Sanitation; Chris Carter, Business Development Manager for Waste Connections; other audience members; Alan Kwan 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 Courtney Leland, 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 June 27, 2023 and June 29, 2023 Commissioners' Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve the June 27, 2023 and the June 29, 2023 Commissioners' Meeting Minutes. The vote was called. The motion passed unanimously.

6. Reports of Staff and Committees:

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

Ms. Baley-Hyder provided the Board with a Veterans Services Report for the last quarter. A copy of her report is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

2. Planning and Building Update – Steve Wills, Linn County Planning and Building Director.

Mr. Wills provided the Board with a Planning and Building Update for the month of May, 2023. A copy of his report is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Mr. Wills indicated that there would be a Planning Commission meeting held on Tuesday, July 11, 2023 at 7 p.m. at the Old Armory Building for PLN-2023-00192 and PLN-2023-00303. He indicated that, for PLN-2023-00303 there would be a Board Hearing scheduled for Tuesday, July 25, 2023.

Mr. Wills informed the Board that there were 16 new Code Enforcement cases and 20 closed cases for the month of June 2023.

A. Resolution & Order 2023-264 approving an Amendment No. 2 to a Grant Agreement for the Wildfire Grant Program between the Department of Consumer and Business Services, Building Codes Division and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2023-264. The vote was called. The motion passed unanimously.

7. Assessment and Taxation Office – Andy Stevens, Linn County Assessor.

Amy Holt, Administrative Assistant II, Linn County Tax Assessor's office, presented the following item on behalf of the Linn County Assessor.

A. Resolution & Order 2023-230 approving an Intergovernmental Agreement between the Department of Consumer and Business Services and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2023-230. The vote was called. The motion passed unanimously.

8. District Attorney – Doug Marteeny, Linn County District Attorney.

Commissioner Nyquist moved this item to be heard after Agenda item 6-1, the Quarterly Veterans Services update.

A. Resolution & Order 2023-231 approving a Services Contract between Matrix Pointe Software, LLC., and Linn County.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2023-231. 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 2023-253 approving a Lease Agreement Amendment between National Carbon Technologies – Oregon, LCC (NCT) and Linn County and delegating authority to execute the original.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2023-253. The vote was called. The motion passed unanimously.

C. Resolution & Order 2023-259 approving the FFY 2023 elections for the Combined National Forest and O&C Land related safety-net payments.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2023-259. The vote was called. The motion passed unanimously.

11. Unfinished Business and General Orders:

A. Calendar Update: Commissioner Nyquist announced that the Linn County Fair started on Thursday, July 13, 2023 and that all of the Commissioners would be attending for the Ice Cream social.

12. New Business: Commissioner Nyquist indicated that the legislature passed Senate Bill 85 and asked the Linn County Counsel to look into the matter. The Oregon Department of Energy contacted the Board regarding the 1,100-acre Solar Project in Harrisburg; they need a response by Saturday, October 14, 2023.

13. Announcements: Commissioner Nyquist announced that there would be a Management Staff meeting held on Wednesday, July 12, 2023 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): There was no one present from the public wishing to use this forum neither in person or telephonically.

15. Health – Todd Noble, Linn County Health Services Administrator.

Shane Sanderson, designated Solid Waste Administrator for Linn County, indicated that the Solid Waste Advisory Committee made a recommendation and felt that an 8% rate of return would be an appropriate rate increase. A lengthy discussion followed.

Danielle Groves, a partner of Merina & Co, had compiled the information that the haulers provided and compared the projected revenues, expenditures and disposal costs and she found that somewhere between 3-10% was an accurate net profit to gross revenue percentage for the haulers. She indicated that if the composite results had all three been combined together, it would be somewhere around 6%. A lengthy discussion continued. Commissioner Sprenger asked for clarification in the accuracy of the material provided by the haulers. Ms. Groves indicated that she saw detailed financial reports that supported her findings. Commissioner Sprenger indicated that, moving forward she would like to have a focused discussion with the Board that revolved around the Franchise Agreement prior to making a motion.

Commissioner Nyquist indicated that determining the value of the service and a fair rate of return was a difficult task. He asked for clarification regarding the rate of return, was the marginal rate of return defined based on revenue and Ms. Groves indicated that it was. A discussion continued.

Commissioner Nyquist expressed that some of his concerns revolved around the fact that recycling wasn't provided in certain rural areas and that ten years ago when there was an agreement put into place, there was a local transfer station and that had since changed and caused a negative impact.

Commissioner Tucker indicated that he was surprised at the substantial difference in rates between the companies at the 6% margin. Ms. Groves indicated that there had not been regular rate increases requested throughout the ten-year contract period and that could have been what lead to higher rate increases. She also stated that Linn County was not a blended rate County and explained that a blended rate could have its advantages as it would lump all of the haulers into one margin and the same rate would be applied no matter where you lived. Discussion continued.

Commissioner Nyquist indicated that he had concerns and the current Franchise Agreement did not expire until September 30, 2023.

Julie Jackson, Municipal & Community Relations Manager for Republic Services, clarified that it was not the rate of return on bottles and cans that had changed, they were still seeing a 70-75% rate of return on them. What did change was a decrease to the value of material that was being sent to the redemption center. Ms. Jackson indicated that there were advantages to a franchise agreement and that about 97% of Oregon was franchised. She stated that, it would give the County the control over the rates and increases. Ms. Jackson indicated that so few people in the rural areas utilize the full benefit of recycling and that was why they have started offering a quarterly transfer site located at the Lebanon Public Works Department one Saturday a quarter. Citizens are able to dispose of electronic waste, scrap metal and large amounts of cardboard at no charge. She also indicated that there was a large recycling container at River Park in Lebanon where large amounts of cardboard could be taken for disposal.

Commissioner Tucker encouraged Ms. Jackson to utilize the services of our Linn County Communications Officer, Alex Paul, for future newsletters to the community about the quarterly transfer site.

Carson Kuenzi, Vice President for Pacific Sanitation, indicated that he would find more security in a longer-term contract. Chris Carter, Business Development Manager for Waste Connections, stated that short-term contracts led to short term decisions and a longer contract, from a business standpoint, benefited everyone better.

Commissioner Tucker discussed that the franchise agreement was separate from the rate increase proposal and he suggested making a motion on just the rate increase.

Action – Commissioner Tucker moved to approve Resolution & Orders 2023-256, 257 and 258 at an 8% rate of return and Commissioner Sprenger seconded the motion. The vote was called. The motion passed unanimously.

13. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 10:58 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 18, 2023.

 Recorder
For Board of Commissioners
Courtney Leland

LINN COUNTY BOARD OF COMMISSIONERS



Roger Nyquist, Chair



William C. Tucker, Vice-Chair



Sherrie Sprenger, Commissioner

Date 7-25-2023