



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
LINN COUNTY COURTHOUSE – ROOM 200
TUESDAY, AUGUST 13, 2024**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, August 13, 2024.

Those present at various times for the matters as indicated below were: Michelle Duncan, Linn County Sheriff; Micah Smith, Linn County Undersheriff; Steve Wills, Linn County Planning and Building Director; Alyssa Boles, Planning Manager, Linn County Planning and Building Department; Torri Lynn, Linn County Juvenile Department Director; Wayne Mink, Linn County Roadmaster; Gene Karandy, County Attorney for Linn County; Stacey Whaley, Linn County Parks and Recreation Director; Alan Kwan; 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 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 July 16, 2024, July 30, 2024 and August 6, 2024 Commissioners' Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve the July 16, 2024, July 30, 2024 and August 6, 2024 Commissioners' Meeting Minutes. The vote was called. The motion passed unanimously.

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

A. Resolution & Order 2024-279 approving a Personal Services Contract between Diamond Drug, Inc. and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2024-279. The vote was called. The motion passed unanimously.

B. Resolution & Order 2024-280 approving a Personal Services Contract between Sapphirehealth, LLC. And Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2024-280.

Sheriff Duncan indicated that this would exchange written charting for electronic charting in the Linn County Sheriff's Office. Commissioner Tucker asked if the system was compatible with the one that Samaritan Health Services used and Sheriff Duncan indicated, yes.

The vote was called. The motion passed unanimously.

C. Resolution & Order 2024-286 approving a Full-Time Temporary Employment Agreement for a Jail Physician.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2024-286. The vote was called. The motion passed unanimously.

7. Reports of Staff and Committees:

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

Mr. Wills provided the Board with a Planning and Building Department Update for the month of July, 2024. 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 were 52 land-use permits issued for the month of July, 2024.

He stated that there was one Planning Commission meeting at 7:00 p.m. on Tuesday, August 13, 2024 for PD24-0170, as well as, two Land-Use Hearings scheduled for the month of August; one at 10:00 a.m. on Tuesday, August 13, 2024 for PD24-0139 and another on Tuesday, August 20, 2024 at 10:00 a.m. for PD24-0170.

Mr. Wills shared with the Board that there were 13 new code enforcement cases and 24 closed cases for the month of July.

He also informed the Board that there was one fire hardening grant application received, as well as, one fire hardening grant disbursement for the month of July.

8. Juvenile Department – Torri Lynn, Linn County Juvenile Department Director.

A. Resolution & Order 2024-283 approving Amendment No. 1 to an Intergovernmental Agreement for the Expunction Services between Oregon Youth Authority and Linn County and delegating authority to execute originals.

Mr. Lynn indicated that, due to the way the budget process worked with the State of Oregon, the State continued the Juvenile Department's current rate from the previous contract so there wouldn't be any lapse in services to youth. He stated that the Legislature changed state laws and now there was an automatic expungement offered to youth; upon turning 18 years of age, if the youth had no court proceedings, they were eligible for an expungement of their record.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2024-283.

Commissioner Nyquist asked if the money from the State of Oregon to process the expungement paperwork covered the cost and Mr. Lynn indicated, yes. Commissioner Nyquist then asked, if he saw consequences to public safety as a result and Mr. Lynn indicated no, generally, juvenile records weren't serious felony behavior. He believed that it helped the youth in the future because certain charges could limit a youth from finding employment, housing or even obtaining the student loans they need to pursue their education. Commissioner Nyquist asked whose job it was to clean the slate for the youth with charges prior to the Legislature passing the automatic expungement. Mr. Lynn indicated that, before 2021, there was an application process with certain criteria that qualified someone for an expungement and that was still available to individuals. Commissioner Sprenger indicated that she had concern with how easy the Legislature was making it for people to commit crimes and that she wasn't against expulsion but an automatic one was concerning. Mr. Lynn indicated that he was hopeful it wouldn't change the referral process and that the idea was to prevent youth from feeling self-conscious while making their transition into adulthood.

The vote was called. The motion passed unanimously.

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

A. Resolution & Order 2024-270 approving an Infrastructure Contract for Federal Disaster Relief Funding between the State of Oregon Military Department, Office of Emergency Management (OEM) and Linn County and delegating authority to Daineal Malone, County Engineer for Linn County.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2024-270. The vote was called. The motion passed unanimously.

B. Resolution & Order 2024-285 approving the use of a county road by Tangent Together for the Tangent Harvest Festival Parade and related events.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2024-285. 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.

Darrin Lane, Linn County Administrative Officer, presented the following two items.

B. Resolution & Order 2024-255 amending the classification for Road Department Operations Manager and amending the Pay Range from 25 to 27 (Management/Exempt-Pay Range 27).

Action taken below.

C. Resolution & Order 2024-256 amending the classification for County Engineer and amending the Pay Range from 25 to 27 (Management/Exempt-Pay Range 27).

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Orders 2024-255 and 256. The vote was called. The motion passed unanimously.

D. Resolution & Order 2024-284 approving a First-Time Youth Wage Grant Agreement between Linn County and David C. Malpass Warehouse, Inc.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2024-284. The vote was called. The motion passed unanimously.

E. Resolution 2024-287 appointing a member on the Linn County Linn Local Advisory Committee.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution 2024-287.

Commissioner Tucker indicated that Emma Deane, Executive Director for Community Helping Addicts Negotiate Change Effectively (C.H.A.N.C.E) was being appointed and that he appreciated her role in the community.

The vote was called. The motion passed unanimously.

12. Unfinished Business and General Orders:

A. Calendar Update: Commissioner Tucker indicated that one or more Commissioner might attend the Fire Cooperator's meeting.

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 9:51 a.m.

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

16. Public Hearing – PD24-0139; an Application by Harry Wallace for a Zoning Map Amendment on a 1.24-acre portion of a property – Alyssa Boles, Planning Manager, Linn County Planning and Building Department.

Commissioner Nyquist asked if the Board had any exparte communication or conflict of interests to declare. Commissioners' Nyquist and Sprenger had none. Commissioner Tucker indicated that he had exparte contact when he received a complaint regarding Mr. Wallace's business. Upon receiving that complaint, he connected Mr. Wallace with the Linn County Planning and Building Department.

Commissioner Nyquist called upon Ms. Boles for background information on the matter.

Ms. Boles indicated that there were two agency comments received; one from the Linn County Sheriff's Office and another from the Linn County Road Department and neither agency had comments or concerns. She also indicated that they received no other agency or written comments for the matter and that the City of Lebanon expressed no concerns regarding the proposed amendments.

Ms. Boles indicated that the Planning Commission held a meeting on Tuesday, July 9, 2024 and they voted unanimously to recommend that the Board approve the Application as it was proposed.

Krista Wallace, 900 Glenwood St. Lebanon, OR 97355 – Support.

Ms. Wallace indicated that, for the last 22 years, Mr. Wallace and herself have owned H Wallace Construction. They didn't realize that they weren't in compliance with Linn County Code until they were trying to build a personal shop. During the inspection they received a complaint that they didn't have the proper permitting to operate their construction company located on the back portion of their property. She indicated that they met with the Linn County Planning and Building Department to discuss re-zoning in order to meet the requirements so they could continue running their business on their property. Commissioner Tucker indicated that he appreciated the notice that they gave to their neighbors and, the fact that no one was present to testify in opposition, was a form of support from them.

Commissioner Nyquist asked if there was anyone wishing to speak in support; there was no one wishing to speak. He then asked, was there anyone in opposition wishing to speak; there was no one wishing to speak.

Commissioner Nyquist closed the Public Hearing at 10:09 a.m.


Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to accept into the record the Staff Report dated Tuesday, August 6, 2024. The vote was called. The motion passed unanimously.

Commissioner Tucker indicated that he was ready to act. Commissioner Sprenger indicated that she would like to resolve the matter today.


Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve PD24-0139. The vote was called. The motion passed unanimously.

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

The next regular public meeting of the Board of Commissioners is scheduled at 9:30 a.m. Tuesday, August 20, 2024.


Recorder
For Board of Commissioners
Courtney Leland

LINN COUNTY BOARD OF COMMISSIONERS


Roger Nyquist, Chair


William C. Tucker, Vice-Chair


Sherrie Sprenger, Commissioner

Date 8-20-2024