



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
LINN COUNTY COURTHOUSE – ROOM 200
TUESDAY, MAY 27, 2025**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, May 27, 2025.

Those present at various times for the matters as indicated below were: Micah Smith, Linn County Undersheriff; Reagan Maudlin, Special/Rural Transportation Coordinator; Rachel Adamec, Real Property Program Manager; Todd Noble, Linn County Health Services Administrator; Phil Van Leuven, Deputy County Attorney for Linn County; Alyssa Boles, Planning Manager, Linn County Planning and Building Department; Troy Jones; Eric Simon; Wayne Wood and Alex Paul, Linn County Communications Officer.

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 May 20, 2025 Commissioners' Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve the May 20, 2025 Commissioners' Meeting Minutes. The vote was called. The motion passed unanimously.

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

Undersheriff Smith presented the following items on behalf of the Sheriff.

A. Resolution & Order 2025-167 approving a Temporary Employment Agreement for Sergeant/Criminal Patrol Division.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2025-167. The vote was called. The motion passed unanimously.

B. Resolution & Order 2025-168 approving a Part-Time Temporary Employment Agreement for a Corrections Deputy.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2025-168. The vote was called. The motion passed unanimously.

C. Resolution & Order 2025-169 approving a Contract between Gresham Automotive, Inc. dba Gresham Ford and delegating authority to executive originals.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2025-169. The vote was called. The motion passed unanimously.

D. Resolution & Order 2025-170 approving a Temporary Employment Agreement for Background Investigator.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2025-170. The vote was called. The motion passed unanimously.

E. Resolution & Order 2025-171 approving a Personal Services Contract between 10D Tech (Avaya IP Office Phone System) and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2025-171. The vote was called. The motion passed unanimously.

7. Reports of Staff and Committees: None

8. Special Transportation – Reagan Maudlin, Special/Rural Transportation Coordinator.

A. Resolution & Order 2025-095 approving a Subrecipient Agreement for general transportation services between Senior Citizens of Sweet Home dba Linn Shuttle.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2025-095. The vote was called. The motion passed unanimously.

9. Property Management – Rachel Adamec, Real Property Program Manager.

A. Resolution & Order 2025-173 approving the Sale of Tax Foreclosed Property by private sale.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2025-173. The vote was called. The motion passed unanimously.

B. Resolution & Order 2025-177 approving an Office Lease Agreement between Ball Metal Beverage Container Corp. and Linn County.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2025-177. The vote was called. The motion passed unanimously.

10. Health Department – Todd Noble, Linn County Health Services Administrator.

A. Resolution & Order 2025-122 approving a Grant Agreement between United Way of Linn, Benton and Lincoln Counties and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2025-122.

Commissioner Nyquist asked what programs qualified for this funding and Mr. Noble indicated that he would provide the Board with that information by the end of the day. Discussion followed.

The vote was called. The motion passed unanimously.

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

12. 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 2025-190 approving a Collective Bargaining Agreement between Teamsters Local Union No. 670 and Linn County.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2025-190. The vote was called. The motion passed unanimously.

Resolution & Order 2025-182 amending the classification for County Roadmaster and amending the Pay Range from 29 to 31 (Management/Exempt-Pay Range 31).

Darrin Lane, Linn County Administrative Officer, indicated that the Roadmaster announced his retirement and in order to ensure the County was able to recruit a qualifying candidate, the classification and salary warranted an update.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2025-182. The vote was called. The motion passed unanimously.

13. Unfinished Business and General Orders:

A. Calendar Update: The Commissioners updated their calendars.

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

15. Announcements: There were no announcements.

16. Business from the Public (3-minute limit per speaker): Troy Jones, 22335 Gap Rd, Harrisburg OR.

Mr. Jones provided the Board with an update regarding the Muddy Creek Solar Project. He also indicated that Marion County amended their Code to preclude that, all commercial solar powered generation was prohibited regardless of soil type, on all land zoned Exclusive Farm Use (EFU). Mr. Jones encouraged the Board to research that information.

Eric Simon, 34905 Ranch Dr. Brownsville, OR.

Mr. Simon indicated that he would like to request a modification to the setback requirements made by Linn County regarding Senate Bill 85 (SB 85). He stated that the Modified Federal Permit granted for the building of JS Ranch now required him to comply with SB 85. He asked the Board to reduce the setback to 1,000 feet of the nearest residence. Commissioner Nyquist indicated that there was a waiver process available and Mr. Simon stated that it didn't apply in this instance. Commissioner Nyquist then stated that, when the one-mile setback was determined there were over 80 properties available that met the requirements. Mr. Simon indicated that an individual would need to purchase at least 3,000 acres to meet the one-mile setback in each direction based on

how the Linn County Code was written. Commissioner Nyquist indicated that wasn't how he interpreted the code; it was from existing dwellings not potential dwellings. Mr. Simon stated that the way the code was written was from the property line not the dwelling and that he would have to own one-mile in each direction of the property line. Commissioner Nyquist asked Alyssa Boles, Planning Manager, Linn County Planning and Building Department to look into the matter.

Beth Timmons, 32417 Tangent Dr, Tangent OR. (*Via teleconferencing*)

Ms. Timmons provided the Board with information regarding solar and farm lands.

17. Public Hearing – PD25-0118: A Code Text Amendment Application by Linn County to amend Linn County Code 933.705; the proposed amendments are to align current language in Code to be consistent with State Laws – Alyssa Boles, Planning Manager, Linn County Planning and Building Department.

Commissioner Nyquist called upon Ms. Boles to review her Staff Report with the Board; A copy of her report is one file in the Linn County Clerk's Office in the Commissioners' Staff File.

Ms. Boles indicated that the Code Text Amendment application contained proposed text amendments to Linn County Code (LCC) Section 933.705; Pre-1985 single-family dwellings and that this section was located within the Linn County Conditions, Requirements and Decision Criteria Code which contained decision criteria applicable to various Type IIA conditional uses permitted in various zoning districts.

Ms. Boles indicated that there were no agency nor individual comments received regarding the matter and that the Planning Commission held a meeting on Tuesday, May 13, 2025 and recommended that the Board approve the code text amendments as proposed.

Commissioner Tucker indicated that he had no exparte contact or conflicts of interest to declare but that he did contact the Department of Land Conservation and Development (LCDC) for guidance regarding the matter. Commissioners Nyquist and Sprenger indicated they had none.

Commissioner Nyquist opened the Public Hearing at 10:18 a.m.

Commissioner Nyquist clarified that there were no additional comments from the Board or Staff regarding the matter; there were none.

Commissioner Nyquist asked if there was anyone in the room wishing to comment on the matter.

Wayne Wood, 40401 Hwy 226 Scio OR;

Mr. Wood indicated that he owns 40 acres of land that are divided into two 20-acre parcels which are zoned individually but only have one tax lot identification number. He stated that one of the parcels of land has wetlands and rocky grounds and isn't zoned for farm use and he wants to allow his family to build a home on that property but wanted to ensure that this code text amendment wouldn't preclude his ability to make that change in the future. Commissioner Tucker stated that this wouldn't change anything regarding his property or his right to make that change. Commissioner Nyquist indicated that if the land was zoned Exclusive Farm Use (EFU), it's a minimum of 80 acres or \$80,000 in revenue to build a structure on the property and, if you have a 20-acre parcel to build a home on and it's zoned EFU, the path would be to have the land deemed non-resource land because of the soil quality but that matter was a separate issue that didn't pertain to this one.

Commissioner Sprenger clarified that the Code Text Amendment was to align with State Law because Linn County was more prescriptive than State Law and Ms. Boles indicated, yes.


Commissioner Nyquist closed the Public Hearing at 10:27 am.

Commissioner Tucker moved to accept the Staff Report dated Monday, May 19, 2025 for PD25-0118 and Commissioner Sprenger seconded the motion. The vote was called. The motion passed unanimously


Commissioner Tucker then moved to approve PD25-0118 and Commissioner Sprenger seconded the motion. The vote was called. The motion passed unanimously.


Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 10:28 a.m. by unanimous consent.

The next regular public meeting of the Board of Commissioners is scheduled at 9:30 a.m. Tuesday, June 3, 2025.


Recorder
For Board of Commissioners
Courtney Leland

LINN COUNTY BOARD OF COMMISSIONERS


Roger Nyquist, Chair


William C. Tucker, Vice-Chair


Sherrie Sprenger, Commissioner

Date 6-3-2025