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NOV 22 2017


Marion County
Planning

Linn County Commissioner Meeting Minutes

2008-2017

Enclosed you will read through all the Linn County Board of Commissioner minutes regarding the WCMF. There have been many issues that have been brought up in this binder. These include concerns with theft, liability, traffic, and safety. It has been stated in the minutes that WCMF has not followed rules on serving alcohol, selling tickets before the application was approved, and issues with sanitation.

In 2015, WCMF only had permission to sell 3,000 camp sites. There was an aerial photo taken showing an additional 712 camp sites were being used. As the saying goes, "If you give them an inch, they will take a mile."


George Meyer 11/24/17

Binder brought in by George Meyer who is opposed to the move of WCMF to Jefferson, OR

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**Marion County
Planning**

Minutes of Linn County Commissioners:

Subject - Willamette County Music Festival 2008 - 2017

Tabs:



Green - opposition to Willamette County Music Festival



Orange - Traffic information



Purple - Ticket sales prior to event approval



Blue - Linn County code information

Deputy Sheriff's Association. The vote was called. The motion passed unanimously.

21. RFP Opening: Financial Applications System Software and Services for Linn County, Oregon.

- 1.) Agresso Corporation - \$1,279,264.00 over a 5 year period.
- 2.) Impac Services - \$1,469,745.00 over a 5 year period.
- 3.) Leverage Consulting - \$1,017,834.00 over a 5 year period.
- 4.) New World Systems - \$927,919.00 over a 5 year period.
- 5.) Springbook Software - \$936,492.00 over a 5 year period.
- 6.) Sungard Public Sector - \$657,230.00 over a 5 year period.
- 7.) Tyler Technologies, Inc. - \$671,802.00 over a 5 year period.
- 8.) Tyler Technologies, Inc. (Eden Response) - \$737,790.00 over a 5 year period.

Administrative Officer, Ralph Wyatt reported to the Board that the proposals would be reviewed and he would come back to the Board with a suggestion.

22. Public Hearing: An Application for an Outdoor Assembly Permit for Willamette Country Music Festival.

Commissioner Nyquist opened the Public Hearing.

Environmental Health Manager, Rick Partipilo reported to the Board that this is an application for permit to hold a Willamette Country Music Festival July 18, 19 & 20, 2008. The application stated that the event would have a cap of 8,000 people in attendance which 1,200 would be allowed to stay over the night. Rick stated that there are some parts of the application that are in the pending status.

Linn County Roadmaster, Darrin Lane reported to the Board that the Road Department has reviewed the application and does not expect to have any un reasonable delays. There will be no parking allowed at all on the shoulder of any road.

Warren Williamson – Thanked the Board for the opportunity to come before them. "This is a new experience on my part". One of the requirements that are pending is the Insurance Policy naming Linn County as an additional insurer, that was suppose to be here and unfortunately it is no but reported to the Board that he was working very hard on completing that and all pending requirements.

After discussion, Commissioner Nyquist called upon all persons in the room wanting to speak in support of the Willamette Country Music Festival.

Janet Briley, 331 Cook Ave, Brownsville: Stated that this seems like a wonderful event and would be good for the business owners of Brownsville.

Scott McDowell, City of Brownsville: The City of Brownsville is in support of the event. Parking is some concern, but over all in support.

Brenton Weber, 29818 Brownsville Rd., Brownsville: Family owns property east of the property being proposed and will be done farming at that time. Sounds like a good idea. The money will be good for Brownsville and in full support.

Commissioner Nyquist then called any person(s) who wanted to speak in opposition or unsure.

Karen Spurlin, 28637 Seven Mile Lane, Brownsville: Owns property 3/10 of a mile from the proposed property that will be being farmed that weekend. States that it is an inappropriate site for this kind of event. It is a little two lane road and farming equipment will need to get thru the traffic. Also concerns regarding parking along the road and fire danger.

Elizabeth Hurley, 27917 Seven Mile Lane, Brownsville: Owns property that butts against the proposed property. Never got a knock on the door. Worried about fire and crowd control.

George Carsson, 27878 Brownsville Rd., Brownsville: Neither opposed or in support. Worried about trash that blows around.

Baptist Church – Neither opposed or in support. Asked if parkers would be allowed to park in the Church parking lot.

After all verbal discussion, Commissioner Nyquist called upon the applicant, Mr. Warren Williamson to rebut.

Warren Williamson: Addressed the parking concern for neighbors stating that they could put cones out. Stated that people would not be allowed to park on the shoulder of the road and that would be enforced by signs. Mr. Williamson also stated that the Oregon National Guard would supply 20 troops per day at the event for security.

Commissioner Nyquist: Stated that they need to talk and try and come to some conclusions.

Action – Commissioner Nyquist spoke that he was not comfortable approving the permit today. Suggested that there be a neighborhood meeting, Thursday, June 19, 2008 at 7:00 p.m. at the Brownsville City Hall. Commissioner Lindsey also suggested that the applicant get the Insurance Policy naming Linn County as an additional Insurer; A List of the Security People and a copy of the contract when available; OLCC event permit; Provide the names of a medical personnel that will be in attendance at all times (nurse practitioner, paramedic) and to pay the service fee before receiving the permit. Commissioners agreed to have it back on the agenda next Wednesday, June 25, 2008 at 10:00 am.

23. Special Orders:

24. Unfinished Business and General Orders:

A. Calendar Update. The Commissioners updated their calendars.

Mary Grimes, 705 Sw Broadway, Albany, Or 97321 – From Linn County Farm Bureau Director for the Women's Advisory Counsel. Was a petition chair and will continue working until this is on the ballot. Linn County is the grass seed capital of the world and 4-H is a wonderful program.

David Sunderland (no address) – In support. This is important for our youth. I had two children in 4-H and they loved it and went on to be champions. Extension has helped maintain and improved the counties surroundings.

Beverly Hall (no address) – A master Gardner. This is a positive program, and in support of it.

Hike Oling (no address) – This is extremely important for children. Extremely important for agriculture and keeps the farms politically informed about what's going on. In support.

Stanley Dodd, 3787 Glendale Southeast, Albany, Or 97321 – In support. A good program for his daughters and wife who were involved in 4-H for sewing.

Pete Boucott, 36456 Rock Hill Rd., Lebanon, Or 97355 – There is not a single person who will not be positively touched. 100% in support.

Chairman Roger Nyquist called upon any persons whom may be in opposition. There were none.

Chairman Roger Nyquist closed the public hearing.

B. Action on Resolution & Order 2008-263

Action – Commissioner Wooten moved and Commissioner Lindsey seconded approval of Resolution & Order 2008-263 The vote was called. The motion passed unanimously.

25. Public Hearing: (Continued from June 18, 2008) An Application for an Outdoor Assembly Permit for Willamette Country Music Festival.

Linn County Environmental Health Manager, Rick Partipilo announced that Mr. Williamson has provided all of the documentation need from the prior meeting, excluding a final named paramedic.

Chairman Roger Nyquist opened the Public Hearing.

Karen Spurlin, 28637 Seven Mile Lane, Brownsville, Or. – Thanked Commissioner Nyquist for attending the public neighborhood meeting. Still in opposition.

Chairman Roger Nyquist closed the Public Hearing.

Action – Commissioner Wooten moved and Commissioner Lindsey seconded approval of Resolution & Order 2008-284. The vote was called. The motion passed unanimously.

G. Resolution & Order 2008-285 adopting an Intergovernmental Agreement between Linn County and the City of Scio for law enforcement services.

Action – Commissioner Wooten moved and Commissioner Lindsey seconded approval of Resolution & Order 2008-285. The vote was called. The motion passed unanimously.

20. Special Orders:

A. Order 2008-268 approving an application and issuing a permit to conduct an Outdoor Assembly under Linn County Code, Chapter 580 (Willamette Country Music Festival).

Action – Commissioner Wooten moved and Commissioner Lindsey seconded approval of Order 2008-268. The vote was called. The motion passed unanimously.

B. Resolution & Order 2008-287 adopting a First-Time Youth Wage Grant Agreement between Linn County and Environ-Metal, Inc.

Action – Commissioner Wooten moved and Commissioner Lindsey seconded approval of Resolution & Order 2008-287. The vote was called. The motion passed unanimously.

C. Personnel Action Forms

Action – Commissioner Wooten moved and Commissioner Lindsey seconded approval that the Personnel Action Forms, as approved by the department heads, be entered into the records of Linn County. The vote was called. The motion passed unanimously. Personnel Action Forms were read into the record for: Ginny Berchtold, Lori Page, Steve Kenyon (General Services); Sandra Rupe (Mental Health); Kimberly Hall (Juvenile); Patrick Kennedy (Juvenile Detention); Chelsea Frick, Richard Garrett, Christie Harris, Robert Henderson, Paul Pearson, Wendell Smith (Parks) and Jacob Smith (Roads).

D. Resolution & Order 2008-290 in the matter of appointing members to the Linn County Planning Commission.

Action – Commissioner Wooten moved and Commissioner Lindsey seconded approval of Resolution & Order 2008-290. The vote was called. The motion passed unanimously.

21. Unfinished Business and General Orders:

A. Calendar Update.

Commissioner Wooten announced that the Linn County Fair will be July 17, 18, 19 and 20th, 2008 and all three Commissioners may or may not be there at the same time.

18. **Public Hearing: In the matter of Annexation of land to the Tangent Rural Fire Protection District (Arthur, 12S-4W-4, Lots 200 and 202)**

A. Public Hearing

Chairman Roger Nyquist opened the Public Hearing. There was one person signed in on the sign sheet to speak. Roger called upon Bob Arthur. Bob announced that he had nothing to say. Commissioner Nyquist closed the Public Hearing.

B. Action on Resolution & Order 2008-305

C. Action on Resolution & Order 2008-306

Action – Commissioner Wooten moved and Commissioner Lindsey seconded approval of Resolution & Order 2008-305 and 306. The vote was called. The motion passed unanimously.

19. Special Orders: None.

20. Unfinished Business and General Orders:

A. Calendar Update. Commissioners updated their Calendars.

B. Commissioner Nyquist updated the Board on a few events:

1.) ODOT has been inclined to place a stop light at the Seven Mile Lane and Highway 34 Intersection. (If all information obtained from the Road Department shows to be true)

2.) The Willamette Country Music Festival held in Brownsville this weekend seems to not have been in compliance with the distribution of alcohol.

3.) Announced that the Fair Board did a very good job with the Fair this year, and Commissioners agreed that taking them out to dinner in the near future would be appropriate.

21. New Business:

Commissioner Nyquist reported to the Board that the County has received bids for the Installation of security cameras for the entrances of the Court House. There was discussion regarding how long the tapes have to be kept before they can be destroyed. Assistant County Counsel, Gene Karandy was in the room and was asked for specific detail on this matter. Will let the Board know as soon as possible.

22. Announcements: None.

24. Unfinished Business and General Orders:

A. Calendar Update. Commissioners updated their calendars.

25. New Business: There was no new business to go before the Board.

A. Discussion regarding Willamette County Music Festival – Commissioner Tucker


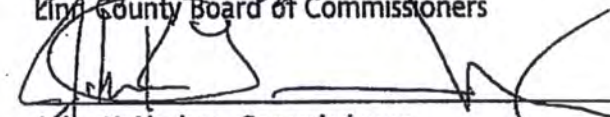
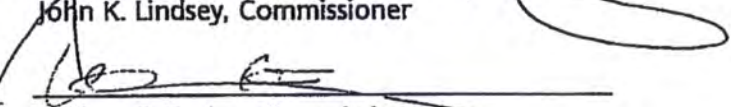
Rick Partipilo, Environmental Health Program Manager was present to discuss the Outdoor Assembly Permit application for the Willamette Country Music Festival. Mr. Partipilo indicated that the application is complete for the most part and is ready to go into the review status, per Linn County Code. Commissioner Nyquist asked if this application is ready for a public hearing as required in the process of acquiring an Outdoor Assembly Permit. Mr. Partipilo acknowledged that the public hearing will be held on either June 16 or 17, 2009. All three Commissioners expressed some concern regarding the Willamette Country Music Festival, due to last year's non compliance.

Tim Mueller, Linn County Sheriff was present and acknowledged that he had received the request for his signature in support of the Willamette Country Music Festival from OLCC involving their liquor license. Sheriff Mueller reported that the he is not in support of the event having alcohol and will not be signing the request.

26. Announcements: There were no new announcements to go before the Board.

27. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned by unanimous consent. The next regular public meeting of The Board of Commissioners is scheduled for Tuesday, May 19, 2009.

 Recorder
For Board of Commissioners
Amanda Zurcher

 Chairman
Linn County Board of Commissioners
 John K. Lindsey, Commissioner
 William C. Tucker, Commissioner

Date: May 20, 2009

Action – Commissioner Lindsey moved Commissioner Nyquist seconded approval of Resolution & Order 2009-276. The vote was called. The motion passed unanimously.

26. Public Hearing: Outdoor Assembly Permit for Willamette County Music Festival
Commissioner Tucker was present for only the last 20 minutes of the public hearing.

Rick Partipilo, Environmental Health Program Manager – Willamette County Music Festival has filed an application for an outdoor assembly permit and this hearing is held per Chapter 580, Linn County Code. There is specific criteria set out in the code for a level 3 Outdoor Assembly Permit. The application has been reviewed by all authorizing personnel. Mr. Partipilo acknowledged that he is available to answer any questions of the Board. The Board had no questions of him at that time.

Chairman Nyquist called on the applicant Warren Williamson for testimony.

Warren Williamson (Applicant) – Mr. Williamson was here to answer any questions of the Board. He stated that after last year's event, we have learned a lot. There were mistakes made, but he feels that there were lessons learned. This year is a new adventure. Event organizers have gone to great lengths to take care of all the problems that were left from last year's event.

Chairman Nyquist opened the public hearing. The people that were signed in on the sign in sheet to speak in support were called upon.

Ramona Ginn, PO Box 5, Brownsville, OR 97327 (Support) – Ms. Ginn was representing the Brownsville City Counsel as a Counsel member and Main Street Coffee as a business owner. Main Street Coffee had a booth at last year's festival. The applicants are aware of mistakes that they have made, and are working with people and taking the time to listen to recommendations that would help them be successful this year.

Chairman Nyquist called on those signed in on the sign in sheet to speak in opposition.

David Staup, 31067 Blueberry Hill Rd., Lebanon, OR. 97355 (Opposed) – He was the food vendor coordinator from last year. He was very unhappy with the quality of the facilities and services provided. He would not recommend approval of the event.

Jim Moran, 2785 25th St. SE, Salem, OR. 97302 – Owner/Operator of the Oregon Beverage Company (Opposed) – He strongly opposes the approval of this application. He was the alcohol vender for this event last year and rules were not followed. There were specific incidents that took place at last year's event that were illegal and he feels that there is a health and safety issue for the citizens who would be attending the event.

Tonya Cramer (no address given and was not listed on sign in sheet) – She's with the Linn County Veteran's Memorial Association. Miss Cramer is concerned about misrepresentation for

tickets that have already been raffled off, given away and/or sold without the event even having approval from the County.

Pete LaPonte. Director for Oregon Jamboree in Sweet Home (Neutral/leaning towards opposed) - He's here on behalf of the Sweet Home Oregon Jamboree. Mr. Laponte doesn't believe that the valley is big enough for both events, since they have similar concepts. He's worried that this could have a sever impact on the Jamboree. He asks that this not be approved.

Chairman Nyquist called on the applicant, Warren Williamson for rebuttal.

Warren Williamson (Applicant) - He addressed the first issue regarding alcohol. This was the first year they held their event. It was a learning experience. They have a new vendor this year and none of the same mistakes will be repeated. To address the issues about vendors, it was mechanical problems that were out of our control. This year they have made special arrangements, including back up, for any problems that might take place.

Commissioner Tucker arrived in the meeting for only the last 20 minutes of testimony. Chairman Nyquist asked to take a recess until 3 p.m. and, in that time, Commissioner Tucker could take the time to listen to the testimony that he was absent for. This will allow Commissioner Tucker to vote on this issue. Commissioner Tucker agreed that he would listen to the tape. Chairman Nyquist called upon Amanda Zurcher, Recorder for the Board, to listen to last year's public hearing and request for Outdoor Assembly Permit of the Willamette County Music Festival. Ms. Zurcher agreed that she would do so and have the previous public hearing minutes from last year transcribed to the Board members before they reconvene at 3 p.m. today.

Chairman Nyquist recessed the meeting.

Chairman Nyquist called the meeting to order at 3:07 p.m.

After discussion, Chairman Nyquist requested that Vice-Chairman, John Lindsey chair the meeting.

Action - Commissioner Tucker moved to approve an Outdoor assembly permit with conditions. There was no second. The motion dies.

Action - Commissioner Nyquist moved to deny the request of an Outdoor Assembly Permit for the Willamette Country Music Festival. Commissioner Tucker seconded for purposes of the motion. The vote was called. The motion passed two to one. Commissioner Tucker voted in opposition.

26. Special Orders. There were no special orders to go before the Board.

27. Unfinished Business and General Orders:

A. Calendar Update. Commissioners updated their calendars.

21. Board of Health – Rick Partipilo, Environmental Health Program Manager

A. Monthly Activity Report

Mr. Partipilo updated the Board on the month of June's activities. There was a one page Monthly Activity Report that was distributed to the Board. A copy of this is on file in the Commissioners Documents in the Linn County Clerks Office.

22. Budget/Accounting Report as of June 30, 2009 – Dave Alderman, Linn County Accounting Officer and Michelle Hawkins, Linn County Treasurer and Budget Officer

Mr. Alderman provided the Board with a one page Quarterly Financial Report which outlines the funds and fund balances as of June 30, 2009. The General Fund had an ending balance of \$2,753,849 which is \$675,975 more than the June 30, 2008 ending balance. Ms. Hawkins informed the Board that this was mostly due to a transfer from the Road Fund to the General Fund in the amount of \$860,000. This loan is paying for a new financial software package and implementation.

Pointing out the Unemployment Fund, Mr. Alderman reported that the \$731,313 difference in fund balances, which went from \$1,047,778 as of June 30, 2008 to \$316,465 as of June 30, 2009, was the result of a transfer from the Unemployment Compensation Fund to the General Fund. The Budget Committee voted on this transfer to replace revenue reductions.

Ms. Hawkins also updated the Board on the Bonded Debit Service Fund, which is now paid in full. This bond was incurred to build the Linn County Fair/Expo Center. The remaining fund balance is \$66,000 and will be transferred to the General Fund in the current fiscal year.

Action – There was no action taken. The Board did, however by consensus, accept the Quarterly Financial Report into the record.

23. Order 2009-361 Transfer within General Grants Fund from Materials & Services to Capital Outlay, \$8,143 – Michelle Hawkins, Linn County Treasurer and Budget Officer

Action – Commissioner Tucker moved and Commissioner Lindsey seconded approval of Order 2009-361. The vote was called. The motion passed unanimously.

24. Approval of PL 106-343 Title III County Projects – Ralph Wyatt, Linn County Administrative Officer

Action – Commissioner Tucker moved and Commissioner Lindsey seconded approval of PL106-343 Title III County Projects. The vote was called. The motion passed unanimously

25. Public Hearing: Outdoor Assembly Permit for Willamette Country Music Festival
The applicant, Warren Williamson, was not present for the Public Hearing due to a death in the family. Ann Hankins, co-applicant, was present to answer any questions the Board might have.

Mike Adams, Assistant County Counsel – Mr. Adams directed the Board to rescind their previous motion, made June 17, 2009, to deny an Outdoor Assembly Permit for the Willamette Country Music Festival.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded approval to rescind the previous motion made to deny the Outdoor Assembly Permit for the Willamette Country Music Festival on June 17, 2009. The vote was called. The motion passed unanimously.

Mike Adams, Assistant County Counsel – Gave a brief update on the Board's past decision to deny the Willamette Country Music Festival's Outdoor Assembly Permit on June 17, 2009. The Board voted to rescind that motion, and may move forward with new testimony. Mr. Adams also mentioned that the Board did not close the record, therefore, any additional documentation may be presented into the record.

Chairman Roger Nyquist called upon Mr. Partipilo for background and the most current information that has been obtained since the last public hearing.

Rick Partipilo, Environmental Health Program Manager – There has been additional documentation submitted to be added to the record by the applicant. The application is more complete, versus the last public hearing that was held. Mr. Partipilo added that the previous reasons for denial have been resolved.

Chairman Nyquist called on the applicant for testimony.

Anne Hankins, Co-Applicant for the Willamette Country Music Festival – Ms. Hankins addressed the packet of additional information that was provided to the Board. The documentation submitted was requested by the Board at the previous hearing. All the issues that were pending have been addressed and resolved. Ms. Hankins said that she had nothing else to speak to the Board about, but would be available to answer any questions or concerns of the Board at anytime.

Chairman Nyquist opened the public hearing. The people that were signed in on the sign in sheet to speak were called upon.

Lawrence VanHoof, WCMF Event Coordinator – Mr. VanHoof stated that he has been involved in many different kind of events working as the Event Coordinator. A resume was sent to Mr. Partipilo and forwarded to the Board of Commissioners. Mr. VanHoof feels that he can make an unbiased decision where the health, safety and welfare of the citizens are always the first priority. Meaning, if a difficult decision arises, Mr. VanHoof believes he will have the knowledge to make the right choice.

Commissioner Nyquist asked Mr. VanHoof if he, himself, carried an OLCC Special Event Liquor License. Mr. VanHoof reported that he did not hold that permit, but would be applying for the permit and stated he will have it before the event begins.

Commissioner Tucker stated that he wanted to see the Event Coordinator for the event also take care of the interest of the vendors. It seems that there had been some problems regarding the vendors not being able to run properly and the accommodations promised were not given. He also mentioned that he does want to see this event do well monetarily and for the citizens and vendors attending. An Event Coordinator will help make those decisions in an unbiased state of mind.

Chairman Nyquist called on anyone else wishing to speak either for or against that may not have signed in on the sign in sheet. There was no one else wishing to use this forum. Undersheriff, Bruce Riley was present and Commissioner Nyquist asked if he would like to speak to this matter.

Undersheriff Bruce Riley - This application has been reviewed and discussed with the Linn County Sheriff's Office who felt that the applicant had met all the requirements the Sheriff's Office asked them to do.

Chairman Nyquist closed the public hearing.

Action – Commissioner Tucker moved to approve a one year Outdoor Assembly Permit for the Willamette Country Music Festival. The conditions required to obtain the permit were: 1) a copy of the proof of liability insurance; and 2) Event Coordinator, Lawrence VanHoof, receive an OLCC Special Event Permit. The Board also made a stipulation that the applicant's not start selling tickets next year until an application has been given to the Environmental Health Department (it does not have to be approved, but does need to be submitted). Also, a back up plan needs to be put in place in the event that something happens to Mr. VanHoof between now and the event that would not allow him to attend. There needs to be someone else available to step in and take his place. Commissioner Lindsey seconded. The vote was called. The motion passed unanimously.

26. Special Orders: There were no special orders to go before the Board.

27. Unfinished Business and General Orders:

A. Calendar Update. Commissioners updated their calendars.

28. New Business: There was no new business to go before the Board.

29. Announcements: There were no new announcements to go before the Board.

Action - Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2010-132. The vote was called. The motion passed unanimously.

C. Resolution 2010-138 designating the Roadmaster authority to execute a Federal Financial Assistance Agreement and act as the Agency authorized Representative for a Watershed Improvement Program between Linn County and the United States Willamette National Forest.

Action - Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2010-138. The vote was called. The motion passed unanimously.

Commissioner Tucker asked Mr. Lane about the road records they are researching regarding Upper Calapooia Road. Mr. Lane stated that the Linn County Right-of-Way Agent is working on getting the requested information together.

Vice-Chairman Lindsey recessed the Board Meeting at 9:47 a.m.

Vice-Chairman Lindsey reconvened the Board Meeting at 10:03 a.m.

Commissioner Nyquist entered the Board Meeting.

22. PUBLIC HEARING - An Application by Warren Williamson representing Willamette Country Music Festival, Inc. for an Outdoor Assembly Permit to conduct two outdoor music festival events - Rick Partipilo, Linn County Environmental Health Program Manager.

Rick Partipilo, Linn County Environmental Health Program Manager, presented the application packet which is on file with the Linn County Clerk's Office in the Commissioner's Staff file. It was noted that Mr. Williamson's request was for a permit for two years as allowed by Linn County Code. Mr. Partipilo noted that the reviewing authorities: Kevin Rogers, Fire Chief, Brownsville Rural Fire District; Mike Beaver, Fire Chief, Sweet Home Fire and Ambulance District; Captain Jeff Cone, Linn County Sheriff's Office; Robert Wheeldon, Linn County Planning and Building Director and Darrin Lane, Linn County Roadmaster, were satisfied that the application was sufficiently complete.

Mr. Partipilo amended his report to note that:

- 1) The liquor license for the beer garden is pending OLCC review and approval;
- 2) Service fee payment is required before the permit may be issued;
- 3) Liability insurance policy naming the County as an additional insured to be submitted 30 days prior to the event;
- 4) Willamette Country Music Festival needs to obtain a Traffic Control Permit from the Oregon Department of Transportation (ODOT). Approval for the approach has been obtained. The Traffic Control Permit needs to be applied for two months prior to the event.

Mr. Partipilo noted that the hearing notice had been sent to all the reviewing authorities giving them an opportunity to provide any additional comments. None were received.

Commissioner Nyquist had a question regarding the items that remained to be submitted prior to hearing or event. He asked Mr. Partipilo, as a matter of process, if he would recommend approval of the permit contingent on those conditions. Mr. Partipilo stated that the Linn County Code doesn't require an insurance policy until 30 days prior and ODOT doesn't require the Traffic Control Permit until two months prior to the event.

Mr. Warren Williamson noted that the Road Approach Permit is good for an unlimited amount of time; only the Traffic Control Permit needs to be obtained every year.

Ms. Anne Hankins noted that the insurance company would not issue the policy until 60 days prior to the event. She noted that Willamette Valley Vineyards would distribute liquor for the event. Mr. Partipilo stated that the County needs to be named as an additional insured for general liability purposes.

Commissioner Nyquist asked how far traffic was backed up coming into or leaving last year's event. Mr. Williamson stated that traffic wasn't backed up on Hwy 228 at all. Commissioner Nyquist then asked if there were any complaints received from the neighbors. Ms. Hankins stated all the neighbors were contacted last year after the event and that no complaints were received regarding traffic issues or people being where they shouldn't be.

Mr. Robert Wheeldon, Linn County Planning and Building Director, stated that notice had been published in the *Democrat Herald* and that notice had been sent to surrounding property owners. Mr. Wheeldon stated that no comments were received.

Commissioner Tucker asked if Mr. Lawrence Van Hoof was still the Operations Manager for the event. Mr. Williamson said yes. Mr. Williamson went over some items regarding

last year's event. Ms. Hankins noted that they have a meeting pending with OLCC. She stated that a new security company had been hired that will use wands at the front gate. She also stated that security had been increased for the event.

Mr. Don Leber, Director of Advertising and Marketing for Bi-Mart spoke. He stated tremendous strides had been made since the first year the event was held. Bi-mart was searching for a mid-valley grass roots family oriented event to sponsor.

Mr. Partipilo stated that procedurally it is awkward to issue a permit with conditions. However, this had been done in the past. He believes this is a standard practice. He isn't sure that there is a way around it.

Commissioner Nyquist stated that the Board could give tentative approval contingent upon the conditions being met. When conditions are met, it would become final approval and the Board would sign off. He believes that all the conditions will be met, but that procedurally and as a matter of precedent, he would prefer that tactic.

Commissioner Lindsey asked for a motion for tentative approval contingent upon the four issues being met.

Commissioner Tucker asked to hear from the Sheriff and Road Departments to see if they had any input or concerns. Captain Jeff Cone, Linn County Sheriff's Office, indicated that he did not. Mr. Darrin Lane, Linn County Roadmaster, had no concerns.

Mr. Partipilo asked, that in terms of a motion, that the hearing be continued to a date and time certain.

Commissioner Nyquist stated that he would prefer annual renewal of the permit.

Action – Commissioner Nyquist moved for tentative approval on the application for an Outdoor Assembly Permit by the Willamette Country Music Festival for an event to be held August 20, 21 and 22, 2010 and that the tentative approval become final approval, upon the conditions set forth in the Exhibit 1 being met, for one year and that this hearing be continued to a time certain, 10:00 a.m. on July 20, 2010 for final approval. Commissioner Lindsey seconded the motion. The vote was called. The motion passed unanimously.

23. Special Orders: There were no special orders to come before the Board.

Commissioner Nyquist recessed the meeting at 9:40 a.m. to be reconvened at 10:00 a.m. for the scheduled Public Hearing.

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

8. Public Hearing – (continued from June 2, 2010) An Application by Warren Williamson representing Willamette Country Music Festival, Inc. for an Outdoor Assembly Permit to conduct two outdoor music festival events.

Commissioner Nyquist called upon Rick Partipilo, Linn County Environmental Health Program Manager, to provide the Board with an update on the status of the Willamette Country Music Festival permit. Mr. Partipilo stated that, since the hearing on June 2, 2010, the applicant provided additional documentation as requested by the Board and which is on file in the Linn County Clerk's Office in the Commissioner's Staff File. Mr. Partipilo stated the applicant had obtained an OLCC license for a beer and wine garden; a traffic control permit; a certificate of liability insurance for five million dollars naming Linn County as an additional insurer; and, a receipt to show they paid the required filing fee for the Mass Gathering Permit. Mr. Partipilo stated the applicant was requesting a two year permit and recommended the Board approve the application and continue the hearing to a date and time certain to sign the permit. Mr. Partipilo stated a draft of the permit was being prepared and would be ready for the Board's signature at next week's Board meeting. Commissioner Nyquist stated he thought the Board had discussed only approving a one year permit instead of a two year permit. Mr. Partipilo stated if that was the decision of the Board, his staff would prepare the permit as directed.

Commissioner Nyquist asked Mr. Partipilo whether or not the applicant had included an event layout with the original application. Mr. Partipilo replied that the applicant had and showed Commissioner Nyquist a copy from the original application. Commissioner Nyquist asked the applicant to notate on an aerial map the event site. Mr. Partipilo indicated that the applicant had already made notations of the event area on an aerial map which was already a part of the record.

Commissioner Tucker asked the applicant about the moat (security barrier). Anne Hankins, Vice-President, Willamette Country Music Festival, explained the diameter of the moat and stated it would be in place to help control alcohol from being passed over into the beer garden. There will also be security guards stationed in that area as well.

Commissioner Nyquist noted that there were five people listed on the sign up sheet, all in support of the permit, and asked if there was anyone wishing to speak.

Joe Blissech, C and B Security, stated there would be a total of four security guards in the beer garden area.

Commissioner Nyquist mentioned that he had contacted the Insurance Commission who said the applicant was in good standing and was registered to do business in Oregon.

Commissioner Lindsey asked the applicant if a barrier line had been made around the property. Warren Williamson, applicant, stated that the property had been mowed but the plow line had not been made as of yet.

Commissioner Nyquist asked the applicant what time they anticipated the music to end. Ms. Hankins stated that the music should end by 11:00 p.m. and no later than 11:30 p.m. Commissioner Nyquist asked Ms. Hankins if there were any intentions to have amplified music playing past that time and she stated there would be no amplified music past 11:30 p.m. Commissioner Nyquist stated that the Board was in the process of reviewing the Outdoor Assembly Code and asked the applicant whether or not they would be impacted if the Board changed the code to 11:00 p.m. Ms. Hankins stated they would abide by whatever the Board put in place, however, it would be more convenient for them if the code was changed to 11:30 p.m.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to close the Public Hearing and to approve the application for one year. Commissioner Nyquist moved that the Board direct staff to prepare the necessary documents for their signature. 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 were accepted into the record for: Cost of Living Adjustments for SEIU.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to accept the Cost of Living Adjustments for SEIU employees, as summarized on the three page list of employees (See attached Exhibit A), into the record as previously approved. The vote was called. The motion passed unanimously.

G. Resolution & Order 2011-183 adopting an Amendment to a Subrecipient Agreement between Linn County and Chamberlin House, Inc. for general transportation services.

Action Taken Below.

H. Resolution & Order 2011-184 adopting an Amendment to a Subrecipient Agreement between Linn County and Senior Citizens of Sweet Home, Inc. dba Linn Shuttle for general transportation services.

Action Taken Below.

I. Resolution & Order 2011-185 adopting an Amendment to a Subrecipient Agreement between Linn County and Senior Citizens of Sweet Home, Inc. dba Sweet Home Dial-A-Bus for general transportation services.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Orders 2011-172, 173, 179, 180, 181, 182, 183, 184 and 185. The vote was called. The motion passed unanimously.

Commissioner Nyquist recessed the Board meeting at 9:51 a.m.

Commissioner Nyquist reconvened the Board meeting at 10:15 a.m.

7. **Public Hearing:** For an Outdoor Assembly Permit for Willamette Country Music Concerts, Inc. to conduct an outdoor music festival event on August 19, 20 and 21, 2011.

Commissioner Nyquist called upon Rick Partipilo, Linn County Environmental Health Program Manager, to review the Staff Report. A copy is on file in the Linn County Clerk's Office in the Commissioner's Staff file.

Next, Mr. Partipilo introduced members from Willamette Country Music Concerts, Inc.: Anne Hankins, President (Applicant); Karama Billick, Director of Event Planning and Tim Flowerday, Director of Operations. He also introduced Don Leber, Marketing Director, Bi-Mart Corporation.

Mr. Partipilo stated that the Applicant had amended their application to change the number of attendees from 12,000/day to up to 15,000/day and overnight stays from 2,500/night to up to 3,000/night. Also, any place in the application where it referred to

Lawrence VanHoof as Director of Operations should be replaced with Tim Flowerday, current Director of Operations. Mr. Partipilo stated that in the initial Staff Report the Oregon Liquor Control Commission (OLCC) application was copied incorrectly. A copy of the amended application and a complete copy of the OLCC application are on file in the Linn County Clerk's Office in the Commissioner's Staff file. Mr. Partipilo stated that he had contacted Kevin Rogers, Fire Chief, Brownsville Rural Fire District, to make sure he was aware of the amendments to the application. Mr. Rogers responded that the amendments would not affect his support of the event.

Commissioner Tucker asked how many neighbors had been notified and whether or not all their names appeared on the signed support list. Mr. Wheeldon, Linn County Planning and Building Director, indicated that he would review his file and give the Board an answer by the end of the meeting. Commissioner Tucker also wanted to know if there were any adverse comments made by any of the neighbors.

Ms. Hankins, President, Willamette Country Music Festival, Inc., stated that one neighbor requested that a sign be placed in his driveway to direct event goers to use the next driveway down from him. She stated that they would take care of that request.

The Applicant requested to extend the time of the noise standard to 11:30 p.m. The Linn County Code, Chapter 580.720, states the hours of operation is until 11:00 p.m. Mr. Partipilo stated that the Board could make a finding to extend the time of the noise standard to 11:30 p.m. and the change could become a part of the permit. Commissioner Nyquist stated that the Board had gone through a public process and set a hard deadline of 11:00 p.m. as outlined in the code. If the Board extends the time for this event, they would have to be prepared to do it for others. Discussion continued.

Commissioner Nyquist recognized Lou Rambousek (an audience member). Mr. Rambousek stated that it should be the event promoter's responsibility to make sure that their event ends by 11:00 p.m. in accordance with the code.

Commissioner Nyquist requested that Mr. Partipilo contact the Sheriff's Office and Road Department (and any other appropriate agency) to notify them of the amendments to the application which changes the attendance from 12,000 to 15,000. Mr. Partipilo stated that the appropriate agencies had been notified and none of them had any comment regarding the changes.

Commissioner Nyquist, again, called upon Lou Rambousek; the only one who had signed up on the sign-in sheet to speak.

Lou Rambousek – 32840 Ridge Dr, Tangent, OR 97389 – Neutral.

Mr. Rambousek stated that he had no association with the festival or with the area where the festival would be held.

He stated that his concern was that it appeared the application had already been approved given the fact that there had already been extensive advertising for the festival. He was concerned with the process of approving applications for these types of events. He referred to a newspaper article in the Democrat-Herald where it was written in such a way that it implied the application had already been approved. This takes away the citizen's ability to say no to this type of event. He feels that, given the history, it is the wrong direction to go in processing these applications.

Commissioner Nyquist stated that the Board gets frustrated with groups who advertise before their application is approved. An applicant is required to submit an application prior to advertising their event and, in this case, the applicant did.

Commissioner Nyquist asked if there was anyone else wishing to speak.

Anne Hankins, President, Willamette Country Music Concerts, Inc. – Applicant.

Ms. Hankins reviewed the changes that had been made to the application. She stated they considered the Board's concerns regarding last year's event and did additional research for this year's event. She referred to two poster boards showing the outline of the parking lot and the venue layout which are included in the Staff Report and on file in the Linn County Clerk's Office in the Commissioner's Staff file. Ms. Hankins added that there would be camp host for each camping area and roaming security throughout the campsites.

Don Leber, Marketing Advertising Director, Bi-Mart Corporation – Supporter.

Mr. Leber provided the Board with additional information regarding the marketing of the event. He referred to a mock-up of the event booklet which provides the event schedule, rules for the event and rules for camping. It also provides the locations of the stage,

parking, beer garden and booths. A copy is on file in the Linn County Clerk's Office in the Commissioner's Staff file.

Commissioner Nyquist called on Reed Anderson who owns the property where the event is being held. His main concern was possible fire danger. He will have his own fire truck on the property and has done extensive grazing at the site.

Commissioner Tucker asked Mr. Wheeldon if he now knew the number of neighbors who received notice. Mr. Wheeldon stated that there were 17 notices mailed, with some of those going to State agencies, and 10-12 notices mailed to landowners.

Commissioner Lindsey noticed that one of the Corporate Sponsors of the event was Les Schwab. He has relatives who work for them; however, he had no exparte communication and could make a fair decision.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the permit and amendments noting that the end time of the event would remain at 11:00 p.m. The vote was called. The motion passed unanimously.

8. Reports of Staff and Committees: There were no reports of staff and committees to come before the Board.

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

10. Special Orders:

A. Personnel Action Forms were accepted into the record for: Greg Cox (Expo); Phebe Howe (Environmental Health); Michael Oyster (Mental Health); Lawrence Jones (ITS); Samantha Fleming, Marc Floyd and Lisa Foster (Juvenile Detention); Steven Christiansen, Denise Condos, Elisa Crittendon, Alissa Curry, Tristan Davis, Jack Dewall, Aaron Elia, Jamey Frederick, Larry Glover, Cheryl Johnston, Tim Kennedy, Peter Randall, Betsy Sharp and Jennie Willison (Parks & Recreation); Daineal Malone and Austin Warren (Roads).

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to accept the Personnel Action Forms as read into the record. The vote was called. The motion passed unanimously. Commissioner Nyquist stated, for the record, that the reclassification for the ITS Department was with the expectation

17. Roadmaster's Bid Award Recommendation for Thomas Creek (Beech Street) Bike-Ped Bridge (Scio Project).

Action – By consensus the Board accepted the Roadmaster's recommendation to award the bid to Mowat Construction Company.

Commissioner Nyquist asked Mr. Lane about traffic issues at the Willamette Country Music Event. It was noted that Hwy 228 is not a County road. Mr. Lane thinks there will be a meeting, in the next few weeks, that will address the traffic issues. He stated that ODOT had received complaints from citizens about excessive traffic delays.

Commissioner Nyquist brought up another issue regarding EMT's on-site at the event. Commissioner Tucker noted that an article in the Democrat-Herald newspaper indicated that the event wasn't well staffed with emergency personnel. Commissioner Nyquist stated that the application stated that they were contracting EMT services. Commissioner Lindsey said that they should have had a separate entrance/route for emergency access. Commissioner Nyquist noted that some of the problems at the event were: 1) the traffic situation on Hwy 228; 2) EMT's treating people for dehydration; and 3) having no buffer between participants and vendors. He stated that, due to the heat, event organizers should have had some type of hydration available for people attending the event. Another issue was their blatant disregard for laws (i.e. selling tickets in advance for next years' event). Discussion followed.

18. Special Orders: There were no special orders to come before the Board.

19. Unfinished Business and General Orders:

A. Calendar Update: The Commissioners updated their calendars.

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

21. Announcements: There were no announcements.

22. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned by unanimous consent.

B. Brian Carroll, Linn County Parks and Recreation Director, provided the Board with an update on the Shadow Lake Fire. He stated that he met with the Forest Service yesterday and that he expected the Clear Lake Resort to reopen no later than Noon on Friday, September 16, 2011. Mr. Carroll stated that the fire crews still have equipment at Clear Lake and are working on disposing dead trees, brushing and fuel reduction. The Cold Water Cove Resort is already open and their visitors eat and rent boats from the Clear Lake Resort so Clear Lake needs to reopen as soon as possible. Commissioner Nyquist asked Mr. Carroll where things stood now and Mr. Carroll responded that, with this fire and the B and B fire last year, most of the areas surrounding the Clear Lake Resort had been burned over; there is nothing left to burn. Discussion followed.

Commissioner Nyquist stated that he appreciated all the extra work Mr. Carroll and his staff did during this event.

C. Commissioner Nyquist stated that the Board had discussed, at yesterday's Board meeting, the need to revisit the Linn County Outdoor Assembly Code and the policy provisions. He stated that it was not possible to place this matter on next week's agenda due to the schedules of other staff members. Commissioner Nyquist stated, however, that he recently received information that caused him concern and he felt the Board needed to respond now in order to stop the organizer from continuing to sell event tickets. Commissioner Nyquist presented a letter for the Board's signature to be mailed to Anne Hankins, President, Willamette Country Music Festival.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the letter. The vote was called. The motion passed unanimously.

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

20. Announcements: There was no announcement.

21. Adjournment: There being no other business to come before the Board; the Board of Commissioners meeting was adjourned by unanimous consent.

B. Resolution & Order 2011-362 adopting a Grant Award Agreement between Linn County and the Oregon Criminal Justice Commission for the Linn County Adult Drug Court.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Orders 2011-337 and 362. The vote was called. The motion passed unanimously.

22. Discussion of request to purchase tax foreclosed property – Kim Grooms, Linn County Veteran's Services Officer/Property Manager.

Ms. Grooms reviewed the information with the Board. Discussion followed.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to set a Public Hearing regarding purchase of the tax foreclosed property in three weeks. The vote was called. The motion passed 2 to 1 with Commissioner Lindsey voting in opposition.

23. Discussion regarding the Outdoor Assembly Code.

Commissioner Nyquist stated there were two issues regarding the Outdoor Assembly Code, 1) the code we would like to have; and, 2) the code we can have under Federal and State laws. He noted that, although health, safety and welfare aspects of the Code had been focused on, compatibility issues need to be included in the Code.

Rick Partipilo, Environmental Health Program Manager, noted that he had sent an email to the Board, as well as other interested parties, that recapped Level 4 events held in the County this year. A copy of that email is on file in the Linn County Clerk's Office in the Commissioner's Staff file. Discussion followed.

Commissioner Nyquist suggested that a work group be formed to meet and propose recommendations for changes to the Code. He asked Bruce Riley, Linn County Undersheriff, to check with other counties and review their outdoor assembly codes. The work group would include the following staff members: Eugene Karandy, Robert Wheeldon, Rick Partipilo, Bruce Riley, Jeff Cone, Commissioner Lindsey and Ralph Wyatt. Mr. Wyatt will coordinate a date for the group to meet. The goal is to have a plan of action by December 1, 2011.

7. Request for Refund by Willamette Country Music Concerts, Inc. for service fee deposit per LCC 580.200(C).

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

8. Public Hearing – Outdoor Assembly Permit Application for 2012 & 2013 Bi-Mart Willamette Country Music Festival events.

Rick Partipilo, Linn County Environmental Health Program Manager, reviewed the Staff Report dated March 9, 2012. He stated that the purpose of this hearing was to consider a Level 3 Outdoor Assembly Permit Application.

Mr. Partipilo provided the Board with a copy of a Certificate of Liability by Willamette Country Music Concerts, Inc. and asked that it be added to the record. A copy is on file in the Linn County Clerk's Office in the Commissioner's Staff file.

Commissioner Nyquist opened the Public Hearing at 10:00 a.m.

Commissioner Nyquist reviewed the procedure for the public hearing and called upon the Applicant to give her testimony.

Anne Hankins - President – Willamette Country Music Festival – Applicant.

Ms. Hankins provided the Board with maps of the venue layout. Copies are on file in the Linn County Clerk's Office in the Commissioner's Staff file. She described the layout of the venue and discussed improvements that were made since last year's event. She reviewed the festival's guidelines for safety and standards for security. She stated that the festival would have a 911 Dispatch Center on site and that Deputies from the Sheriff's Office has been hired as security. Discussion followed.

Ms. Hankins stated that the festival staff had considered the recommendations from the Board and others.

Commissioner Tucker stated that he appreciated the Applicant asking for a two-year application, however, he would like to add a condition so there is room for re-evaluation in the event there needed to be adjustments made prior to the next festival. Ms. Hankins stated that the festival has proven that they have heard the Board's concerns and have

made changes. She encouraged a debriefing meeting after each event for both parties to discuss what worked and what needed improvement.

Next, Commissioner Tucker asked about the removal of sanitation. Tim Flowerday, Director of Operations, Willamette Country Music Festival, stated that the festival was trying to do a better job in regard to sanitation. He stated that he had met with Sweet Home Sanitation regarding this matter. Discussion followed. Commissioner Nyquist wanted to clarify that it was Willamette Country Music Festival's responsibility to make sure the grounds are cleaned and requirements are met; not the responsibility of high schoolers hired for the job.

Don Leber - Bi-Mart Corporation and Marketing & Advertising Director for the Willamette Country Music Festival – Applicant.

Mr. Leber stated that Bi-Mart Corporation was concerned about due diligence. The festival had not cut any corners and had quickly addressed any issues. He stated that the marketing and branding for the festival was a great opportunity for the City of Brownsville and Linn County to build awareness of the community and what it has to offer all year round.

Scott Sayer – 36646 Hwy 228, Brownsville, OR 97327 – Supporter.

Mr. Sayer stated that he is a neighboring property owner and was in support of the festival. He also stated that there is adequate fire protection for the festival area, as well as, the neighboring properties.

Tim Flowerday – Director of Operations - Willamette Country Music Festival.

Mr. Flowerday stated that the festival has hired the Linn County Sheriff's Office for security and that there would be a minimum of two and up to seven Deputies at the festival site at any given time.

Also, Harmony Event Medicine has been hired to administer first-aid. They have been involved in event medicine for over 30 years and are proactive in treating event goers. Harmony Event Medicine will have two licensed physicians and four registered nurses walking around the crowd looking for anyone who may be having a medical issue. They can respond to any medical emergency up to the point of needing surgery. Mr. Flowerday also stated that, included on their medical team, would be two licensed therapists available to handle any domestic disputes that may occur. He stated that the

festival has tried to mitigate any possible situation in order to make the event safe. Commissioner Nyquist suggested that the festival include, in the application packet, a short resume about Harmony Event Medicine.

Commissioner Nyquist reviewed the different areas of the application where he had concerns.

S. Scott McDowell – City Manager for the City of Brownsville – Supporter.

Mr. McDowell stated that Bi-Mart Corporation and Willamette Country Music Festival had been great partners and have met with the City of Brownsville Council members regarding the festival. He added that the festival has had a great impact on the City. Mr. McDowell thanked the Board of Commissioners for listening and taking into consideration the application and said he appreciated the festival staff members for bringing this event to the community.

Bruce Riley – Undersheriff, Linn County Sheriff's Office - Neutral.

Undersheriff Riley stated that, from the law enforcement perspective, he was comfortable with the contract the Sheriff's Office has entered into with the festival. He stated that he expects this year to be better than the last two years. Undersheriff Riley stated that he was under the assumption that the Outdoor Assembly Permit application was going to be for one year and felt that it should remain a one-year application.

Commissioner Nyquist discussed alcohol services for this event. He stated that, although it can be challenging, the services need to be done in a responsible manner in order to allow event goers to have a good time but not at the public's expense. Commissioner Nyquist stated that, based on the testimony he has heard and the fact that the Applicant does not have an approval from the Oregon Liquor Control Commission (OLCC), he is not comfortable with a two year application. He asked the Board, as a matter of process, if they should approve the application today without approvals from the Oregon Department of Transportation (ODOT) and OLCC.

Commissioner Tucker stated that one of the conditions for a two- year application should be that it could be reviewed and changed and/or approved or denied prior to the next festival. Discussion followed.

Commissioner Nyquist closed the public hearing at 11:36 a.m.

Commissioner Nyquist asked that this item be moved to Wednesday, July 18, 2012 agenda to a time certain of 9:45 a.m. This would allow the Board time to review the document. The Board agreed.

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

9. Special Orders:

A. Personnel Action Forms were accepted into the record for: Gary Bacher, Mason Britton, Jason Comer, Taylor Dawson, Diane Francis, Kipoon Hostler, Aaron McIntosh, Dustin Patton, Rhonda Stott (Expo); Joshua Mclean and Donald Schliske (Parks & Recreation) and Derek Burke (Roads).

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the acceptance of Personnel Action Forms as read into the record. The vote was called. The motion passed unanimously.

Commissioner Lindsey stated that he had reviewed Item No. 7 - Resolution & Order 2012-204 and provided the Board with an explanation of the document.

Action – Commissioner Lindsey moved and Commissioner Tucker seconded the motion to approve Resolution & Order 2012-204. The vote was called. The motion passed unanimously.

Commissioner Nyquist instructed the Board's Recorder to strike, from the record, the Motion to move Item No. 7 to the Wednesday, July 18, 2012 agenda. The Recorder agreed to do so.

10. Unfinished Business and General Orders:

Commissioner Nyquist asked to discuss the Willamette Country Music Festival which is scheduled for the Wednesday, July 18, 2012 agenda for approval of their Outdoor Assembly permit. The issue is in regard to having ambulance service available during the event.

Commissioner Tucker expressed his concerns and the concerns of the Sweet Home Fire Chief, which had not been addressed properly by Anne Hankins, President, Willamette Country Music Festival. Commissioner Tucker had asked that both parties meet to address

those concerns and provide him, via email, confirmation that they had met and had come to an agreement.

Commissioner Nyquist stated that, when the event organizers initially stated they would have ambulance service on-site, it was assumed that there would be a driver to transport. Commissioner Tucker agreed and stated he was shocked to find out that the Brownsville Ambulance Service was only a first-responder and not life support transporters; this is why the Sweet Home Fire Chief would not respond off on the permit.

Commissioner Tucker stated that he now has an email stating that an agreement had been reached and that an advance life support transporting ambulance would be on-site and available during the peak times of the event (3:00-10:00 p.m. Friday/Saturday and 3:00-9:00 p.m. Sunday).

Commissioner Nyquist brought up another issue regarding the advance sale of tickets prior to permit approval. He stated that he discovered last week that a State statute (ORS 433.745(1)) addresses the issue and suggested to the Board that Rick Partipilo, Linn County Environmental Health Program Manager, make the event organizers aware of that statute. Discussion followed.

The Board agreed that they would ask Mr. Partipilo to give written notice to the festival organizers regarding advance sales prior to permit approval and ask them to comply with ORS 433.745(1).

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

12. 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.

Minutes of the Linn County Board of Commissioners adjourned meeting, July 17, 2012 and continued to July 18, 2012:

Those present at various times for the matters as indicated below were: Frank Moore, Linn County Health Administrator; Pat Crozier, Linn County Public Health Program Manager; Rick Partipilo, Linn County Environmental Health Program Manager; Paige Wuest, Intern from Oregon State University; Debbie Uri, Public Health and Communicable Disease Nurse; Dave Alderman, Linn County Accounting Officer; Ted Finegan and Alex Paul, Reporter for the Democrat-Herald.

19. Resolution & Order 2012-115 approving an application and issuing a permit to conduct an Outdoor Assembly under Linn County Code, Chapter 580 (Bi-Mart Willamette Country Music Festival).

Mr. Partipilo presented the Resolution & Order issuing an Outdoor Assembly permit for the Willamette County Music Festival (WCMF). In April, the Board approved the application asking to include five additional conditions:

1. Finalize an agreement with Sweet Home Sanitation
2. Provide an updated list of vendor contacts and licenses
3. Take water samples after July 1, 2012 and have tested. Mr. Partipilo stated that the water samples are in the lab now and, if they are okay, they can proceed; but, if not, the event would need to use bottled water.
4. Restore the event grounds to specific EFU conditions.
5. Meet with the County Administrator to review policy and provide proof of an executed policy.

Mr. Partipilo stated that the WCMF organizers have complied with the additional conditions. Commissioner Tucker asked Captain Rodney David, Linn County Sheriff's Office, if he had any comments regarding the application. Captain David stated that he had no changes and everything looked in order.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2012-115.

Commissioner Nyquist pointed out that in the Board's review of rewriting Linn County's Outdoor Assembly Code, it came to his attention that ORS 433.745 is more restrictive than what the Linn County Code represents in regard to outdoor mass gatherings. Commissioner Nyquist read ORS 433.745. Commissioner Lindsey stated he would like to see the ORS referenced in Linn County's Code for events greater than 3,000 and added to the County's code that the event organizers must have, in hand, a permit six months in advance of the event. Commissioner Nyquist stated that he and Commissioner Lindsey were talking about two different issues and that he is simply asking Mr. Partipilo to make sure that WCMF is aware of the ORS.

Mr. Partipilo added that ORS 433.745 did not apply to this specific application and that it was a complicated endeavor. He explained that the statute applies to outdoor mass gatherings that are more than 3,000 and for more than 24 consecutive hours which is a Level 2 event. The WCMF is a Level 3 event. Discussion followed.

Next, Commissioner Nyquist stated that the Applicants, in their presentation, stated that they would have an ambulance on-site which he concluded would include a driver to be able to transport; however, this isn't the case. Commissioner Nyquist stated that he was concerned. He stated that, in his view, Mr. Moore is going to ask the Ambulance Advisory Committee about the issue to see what their recommendation would be. At this point, Commissioner Nyquist stated that whatever the Committee recommended is what should happen. He stated that if the event organizers are not willing to pay to have a life-transport ambulance on-site, then the Board needs to have a conversation about this matter; he is concerned about the County's exposure.

Commissioner Lindsey added that there was a meeting where most of the Ambulance Committee Members were present and if they thought, at the time of the meeting, it would be unsafe to not have a life-transport ambulance present at the event then they should have said something. Commissioner Tucker stated that he was concerned when he discovered there would not be a life-transport ambulance on-site and that is why, on Monday, July 16, 2012, he pushed the issue with the organizer and the Sweet Home Fire Chief. He asked that both parties meet and come to an agreement regarding this issue. Both parties met and created a separate contract outside of the permit to have a life-transport ambulance on-site. Mr. Partipilo stated, for the record, that it was stated by the organizers in their presentation that it would be a non-transport ambulance. Commissioner Nyquist stated that his position is whatever the Ambulance Advisory Committee recommends is what should happen. Discussion continued.

Action – Commissioner Lindsey moved to amend the motion to Approve Resolution & Order 2012-115 and include that when the Board gets the recommendation from the Ambulance Advisory Committee, they will work with the organizer to carryout the recommendation in the event it is different then what is believed to be in place. Commissioner Tucker seconded the motion. The vote was called. The motion passed unanimously.

20. General Administration – Ralph Wyatt, Linn County Administrative Officer.

A. Resolution & Order 2012-172 in the matter of a loan from General Road Fund to the General Fund of Linn County for the purpose of patrolling of County Road by County Law Enforcement Officials (2012-Oregon Laws Chapter 75).

Mr. Wyatt asked the Board to defer this Resolution & Order to next week's agenda as there have been changes in the Federal Forest money, as well as, the recent actions of the City of Lebanon in regard to the Lebanon URD. The Board agreed.

7. Public Hearing: Outdoor Assembly Permit Application from Willamette Country Music Concerts, Inc. for 2013 and 2014 outdoor music festival events.

Commissioner Nyquist called upon Rick Partipilo, Linn County Environmental Health Program Manager, to provide his staff report and background information regarding this matter. A copy of his staff report is on file in the Linn County Clerk's Office in the Commissioner's Staff file.

Mr. Partipilo noted that Bi-Mart representatives had decided to prohibit the use of alcohol, outside of the festival, at future events. The Applicant has requested that the limit on attendance be increased from 15,000 to 18,000 per day with overnight camping remaining at the limit of 3,000 persons. Mr. Partipilo stated that the Applicant was requesting a two-year permit. The County also received two registration forms for Level 4 events from neighbors who want to provide camping at the same time as the festival. On their application, they state that they would be providing their own security.

Mr. Partipilo stated, for the record, that the Board had received the following documents: Debriefing report from the Sheriff's Office dated March 11, 2013; an email from Rick Partipilo dated March 6, 2013; a Staff Report from Rick Partipilo dated March 7, 2013; and, an email from Rick Partipilo dated March 8, 2013. Prior to today's meeting, the Board received a letter with attachments dated March 8, 2013 from Scott Sayer, Sayer & Son, LLC.

Mr. Partipilo stated that Robert Wheeldon, Linn County Planning and Building Director, provided notice of the Public Hearing to all the surrounding neighbors.

Commissioner Nyquist instructed Recorder, Marsha Meyer, to accept all the documents into the record and mark them as exhibits as she deemed appropriate.

Commissioner Nyquist asked Mr. Partipilo about the two applications that were received for providing additional camping for festival goers; we wouldn't have received these applications if the festival wasn't happening. Commissioner Nyquist asked if the County was going to treat them as separate events. Mr. Partipilo stated that he had talked with the County Attorney and his view was that the Linn County Code is silent on this matter but that the separate Level 4 applications for camping would stand on their own without specificity in the County code. Commissioner Tucker stated that the code should be reviewed and that the camping events that occur on that weekend should be looked at.

Commissioner Nyquist reviewed the hearing process with the audience.

Commissioner Nyquist called upon the Applicant.

Don Leber, Bi-Mart Representative and Anne Hankins, Willamette Country Music Festival, Eugene, Oregon – Applicants.

Mr. Leber provided the Board with a handout. A copy of the handout is on file in the Linn County Clerk's Office in the Commissioners Staff file.

Mr. Leber informed the Board that Courtney Creek Road was going to be used as an access road this year and that there would be three different ways to access the festival. They will be educating event goers about the different ways to access the parking areas by providing the information on their website and in the camping information materials. Commissioner Tucker asked how many cars would be backed up to the highway and Ms. Hankins stated that Courtney Creek Road could hold 500 vehicles.

Ms. Hankins stated that there were two areas of concern after last year's event. One was traffic and the other was the problem with alcohol after scheduled quiet time. The Applicants have now made a new policy that there will be no alcohol allowed in the camping areas and they've increased security by 75 percent more man hours. The same security company is coming back this year and has a high level of training. They will have an increased force who has been working well with the Linn County Sheriff's Office. Commissioner Tucker stated that he appreciated the Applicant coming to the difficult decision of having no alcohol in the camping areas.

Commissioner Nyquist asked Mr. Leber if he had seen the Sheriff's Office Patrol Log from last year's event. Mr. Leber stated that he had and Commissioner Nyquist asked if he was at all troubled by some of the activities reported on that log. Mr. Leber stated that definitely he was and that the Applicant's have had conversations about ways to address those problems. That is why they decided to remove the alcohol from the camping areas. Commissioner Nyquist stated that the Sheriff's Office had also asked that camping on adjacent properties be stopped as there is no control on those sites. Mr. Leber replied that they are not part of their application but that they have been in communication with those neighbors. Commissioner Nyquist stated that in the Sheriff's Office Patrol Log there were several incidents of lost children. There didn't seem to be a specific plan to deal with that issue. Ms. Hankins stated that there was one incident of a 10-year old that was lost and when the authorities heard of it the festival went into lock down mode; the communication was the same as an "Amber Alert". Twenty minutes later, the child was found; she had wandered off to another friend's camp site. The Sheriff's Office recommends that a central location be set up at the medical center.

Commissioner Tucker was concerned with the mapping provided. He was there when there was a disturbance and, using the maps of the festival, it was difficult to determine how to get to the correct location. Kevin Guilford, Linn County Sheriff's Office, suggested that there be better debriefing with the deputies and security coming on for the next shift. It was difficult coming on and not having an understanding of how everything was laid out.

Commissioner Nyquist recessed the Public Hearing at 11:02 a.m.

Commissioner Nyquist reconvened the Public Hearing at 11:05 a.m.

Commissioner Nyquist asked if there was anyone who signed up on the sign-in sheet in support that wished to speak. The supporters deferred to Mr. Leber and Ms. Hankins testimony.

Commissioner Nyquist asked if there was anyone who signed up on the sign-in sheet in opposition that wished to speak.

Sandra Sayer (Mother) – 36770 Hwy. 228, Brownsville, Oregon 97327 – Opposed.

Mrs. Sayer stated that she and her family were farmers and landowners and that the Willamette Country Music Festival has a big impact on them in a negative way.

They had been warned of a lawsuit and Ms. Hankins had refused to sign a waiver to stop the lawsuit. She stated that her family had faced intimidation and bullying and she and her family are facing it head on. The festival used to be much smaller and was not invasive to their farm operations but it has now become a major problem and has cost them several thousands of dollars. RV's and other festive goers block their business and they are unable to move their equipment up and down the highway. This starts about three weeks to a month before the event even starts in order to get the "little city" set up in their backyard. She was worried about safety of their farm and others and the carelessness of someone lighting a match; it is highly volatile. This event has overgrown their small community.

Commissioner Tucker stated that Mrs. Sayer and her son had come to visit him to discuss their concerns and the lawsuit. There is a letter that states there is no lawsuit nor is there one pending. Commissioner Lindsey stated that he had also talked with Mrs. Sayer about this matter and that he also has a letter stating that there is no lawsuit.

Scott Sayer (Son) – 36646 Hwy. 228, Brownsville, Oregon 97327 – Opposed.

Mr. Sayer stated that he was a farmer in the area of where the festival is to be held and it is basically in his backyard. He stated that the festival violates the EFU zoning rules and the right to farm. He stated that it is not a five-day event as it starts about a month before the festival and brings his farming to a stand still. The roads in that area are narrow with deep ditches.

Mr. Sayer stated that safety is number one and that his farm has a great safety record. You bring 15,000 people into an area there is the potential problem for a wildfire and there is not adequate fire access. Next, he stated that he experienced petty theft of his tools and fuel during the festival period. The flow of traffic goes from 2 p.m. to 7 a.m. He had to provide his own security and felt as if he was being bullied out. Mr. Sayer said it was a shameful display by the City of Brownsville to provide shuttle services from town out to the festival site and he did not feel it was a good way to treat the local residents. In regard to safety, Mr. Sayer stated that, at the very least, there needed to be a heli-pad close to the festival site.

Mr. Sayer stated that he has tried to work with the festival management but there is no trust. He stated that the whole event has crippled his farm and it does not meet the spirit of the law. He also feels heavily bullied.

Commissioner Tucker stated that Mr. Sayer says the event has outgrown the area, yet Mr. Sayer provides additional camping on his farm. Mr. Sayer stated that they are no longer offering camping as it has been taxing on his time and money.

John Sayer (Father) – 36770 Hwy. 228, Brownsville, Oregon 97327 – Opposed.

Mr. Sayer read his written testimony. He stated that Reed Anderson had approached his family about doing the festival; and, at the time, he was opposed but agreed in order to be a good neighbor. It has grown and expanded so much that it is time for them to find a different location designed for a large mass gathering. Mr. Sayer stated that the Applicant had not solved the traffic problem; they have just spread it out. His combine takes up the entire Courtney Creek Road and the shoulder is non-existent. Let's get this event out of farm use land.

Mr. Scott Sayer stated that today was the first time they heard that the Applicant wanted to use Courtney Creek Road and recommended that the Commissioners go out and look at how narrow the road is and get a visual before approving the application.

Commissioner Nyquist asked the Applicant if they wanted to rebut.

John Fisher, Attorney, 767 Willamette St, Eugene, Oregon 97401 – Representative for the Applicant.

Mr. Fisher stated that in the fall of 2012 the Sayers had sold camping sites for the prior year and had put up a website to sell the camp sites. His concern was the use of the festival's name and stated that it is the property of the Applicant and not of the Sayers. He spoke to the Sayers stating that if they did not stop using the name that there would be a lawsuit. The Sayers had violated the Applicant's rights; however, at this time, there is no lawsuit filed or pending.

Commissioner Nyquist stated that Mr. Fisher's testimony was not part of the criteria for the Board's decision.

Anne Hankins – Eugene, Oregon 97402 – Applicant.

Ms. Hankins responded to the Sayer's concerns.

In regard to the fire issue, she stated that the Central Linn High School Booster Club brings out water to the area at all times of the day. In regard to Courtney Creek Road, she stated that the route has been approved. The Chamber of Commerce for Brownsville has been happy with the signage for the shuttle. She also stated that she had several conversations with Mrs. Sayer to address her concerns. Ms. Hankins stated that they had asked the Sayers to tell them if or how the festival would impact their farming; we reached out and tried to have a conversation with them as it was not in the Applicant's best interest to have any conflicts with neighbors.

Commissioner Nyquist stated that he had three concerns. One was the fire danger where there were two incidences listed in the Patrol Log where there were open fires; the second was the issue of the setting up time prior to the event. The County code states that they have a total of a five-day period for their event. Ms. Hankins stated that while the property is being set up, there are no more than seven vehicles a day dropping off equipment. She did not see how that would impede the Sayers from farming. Tim Flowerday, with Willamette Country Music Festival, stated that there are trucks going to the site the Friday before the festival then the stage comes in on Saturday with about three trucks. On Sunday to Monday, about four trucks deliver the fencing and a crew place cones marking the fields for the RV's. Commissioner Nyquist stated that that activity is clearly not related to farming.

Commissioner Nyquist's third concern involved Courtney Creek Road. He met with ODOT and they have that they have not given the Applicant their approval and that they want the Applicant to get a traffic engineer to provide a traffic plan. Ms. Hankins stated that ODOT had not conveyed that request to them. Commissioner Nyquist stated that the County needed to be in the loop and needed to sign off on any traffic plan since Courtney Creek Road is not a State highway but a Linn County highway. He stated that the Applicant needed to hire a traffic engineer which could be done within the next 30-days. Ms. Hankins stated that if that is the requirement, that it would only serve in their best interest to meet the conditions of ODOT and the Roadmaster.

Commissioner Tucker stated that the application was incomplete and did not properly address the fire and emergency issues. He stated that, if it was the pleasure of the Board, to close the hearing and allow written testimony in regard to the issue of public safety and the matter with ODOT and the Roadmaster. Commissioner Tucker stated that he had concerns about how the traffic would exit the festival site and what that meant to the flow of traffic on Courtney Creek Road. He stated that the record could be left open for 30-days. Commissioner Lindsey was okay with the record remaining open.

Commissioner Nyquist asked that the hearing be continued for a time certain for 25-30 days from today's date and was cautious about closing any portion of the hearing.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to continue the Public Hearing to Wednesday, April 10, 2013 at 9:45 a.m. The vote was called. The motion passed unanimously.

Commissioner Tucker stated that he did have exparte communication with Ms. Hankins to and shared his concerns with her but that it would not affect his opinion and he would be able to make a fair decision regarding this matter.

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

9. Special Orders:

A. Personnel Action Forms were accepted into the record for: Rudy Wesson (Juvenile Detention); Samuel Crowson, Heather Hankins, Susan Justus, Melanie Loree and Erik Pederson (Mental Health); Nichole Geeting (Parks-Historical); Daniel McCutcheon and Laurance Wiser (Roads).

18. Business from Public (2 minute limit per speaker): There was no one present from the public wishing to use this forum.

19. Budget/Accounting Quarterly Report – as of March 31, 2013 - Dave Alderman, Linn County Accounting Officer and Michelle Hawkins, Linn County Treasurer/Budget Officer.

Mr. Alderman provided the Board a quarterly report as of March 31, 2013. A copy of the report is on file in the Linn County Clerk's Office in the Commissioner's Staff file. Commissioner Nyquist asked that the Board be updated monthly and more often if developments warranted it.

Commissioner Nyquist recessed the Board meeting at 9:45 a.m.

Commissioner Nyquist reconvened the Board meeting at 9:55 a.m.

20. Public Hearing – (Continued from Tuesday, March 12, 2013) – Outdoor Assembly Permit Application for 2012 & 2013 Bi-Mart Willamette Country Music Festival Events.

Rick Partipilo, Linn County Environmental Health Program Manager, provided an updated hearing packet and memo outlining the latest materials submitted by Willamette Country Music Concerts, Inc. A copy of the memo and hearing packet is on file in the Linn County Clerk's Office in the Commissioner's Staff file.

Mr. Partipilo addressed the Board's previous questions from the Public Hearing held on Tuesday, March 12, 2013. He stated that the number of persons per vehicle per County Code for planning purposes was three. He explained that Courtney Creek Road would be used for emergency vehicle access/egress. The extent of the traffic que expected with 15,000 persons attending would extend west on State Highway 225 to its intersection with I-5, according to estimates mapped by Linn County GIS Staff. A copy of the map is on file in the Linn County Clerk's Office in the Commissioner's Staff file.

Commissioner Nyquist asked how many people could camp at one site. Mr. Partipilo stated that if it's a tent camp site it's four persons and if it's an RV site it's three. Commissioner Nyquist questioned where the ODOT permit was in the process. Mr. Partipilo stated that it was approved with conditions and is included in the packet provided.

Commissioner Nyquist recessed the Board meeting at 11:05 a.m.

Commissioner Nyquist reconvened the Board meeting at 11:15 a.m.

Karl Birky, Oregon Traffic Engineering Inc., Traffic Engineer for Willamette Country Music Festival – Applicant's Expert.

Mr. Birky stated that he was asked to express his opinion on the traffic plan but that there are many unknowns. He explained that he reviewed the traffic plans for the event and met with ODOT and he received positive and helpful feedback. He stated that the major issue would be getting the traffic moved into the parking spaces and added that at last year's event, there was only a one-lane access. The changes that ODOT highlighted would have a second access from Courtney Creek Road for General Admission ticket holders and a separate access for RV's and regular attendees which would also help eliminate traffic issues.

Commissioner Nyquist asked what the estimated traffic que length would be. Mr. Birky responded that he wasn't sure how long the que would be; it could be up to 7 miles but it could be less. Commissioner Lindsey asked how long last year's que was. Ms. Hankins replied that it was an issue, but stated that they have implemented a new marketing strategy to encourage people to come early to help avoid the traffic delays. She added that the new policy of hanging signs from vehicle mirrors will help traffic be easily routed to specified parking spaces in a timely manner. Discussion followed.

Commissioner Nyquist expressed concern of the traffic que's causing issues and major delays on I-5. Mr. Birky stated that it would depend on when people came to the event and explained that there was no way to model in order to determine how much of an issue it would be and that he defers to ODOT to respond. Discussion followed.

Darin Lane, Linn County Roadmaster, commented that he didn't disagree with Mr. Birky, but it's more complicated than he outlined. He stated that adding capacity in the driveway to the field would provide a significant benefit; however, one of the main restrictions would be cars going from Highway 228 onto Courtney Creek Drive as its only one-lane. He explained that it would be a significant traffic impact compared to what normally have.

Commissioner Tucker asked if the Applicants have taken all the traffic factors into consideration. Mr. Lane stated that they have made improvements from last year, but that the issue with an event like this is trying to make temporary improvements for a few days. He added that permanent improvements to the road system would need to be made to deal with the traffic problem comprehensively. Discussion followed.

Commissioner Nyquist asked Ms. Hankins if other camping venues or alternate accommodations were made known to the general public. Ms. Hankins responded that they do let the public know what other campgrounds or hotels are available in the area when they inquire.

Commissioner Tucker asked Michael Beaver, Sweet Home Fire Chief, if he and his staff were prepared to handle 9,000 overnight campers. Mr. Beaver stated that yes, he would prefer to know where the people were staying, rather than have them scattered throughout the County or camping along Quartzville Road. He added that last year's event was a positive experience and that they worked well with the medical staff onsite. He added that he and his staff were comfortable with the event.

Captain Kevin Guilford, Linn County Sheriff's Office, stated that the Staff from Willamette Country Music Festival had been working with them on many issues that and have been addressing them accordingly. He added that the Sheriff's Office have been developing a Public Safety Plan which is in draft form now. He explained that they have increased their staff for the event to be there at the peak hours of 6:00 p.m. to 3:00 a.m. which has the most activity. Discussion followed.

Commissioner Tucker asked Captain Guilford if his staff felt comfortable with the 6,000 campers staying at other locations. Captain Guilford responded that the 6,000 other campers would be on private property and that they would not have control over them unless they responded to a criminal complaint. He added that he would have dedicated staff on the event site location, but other staff would be available to respond to other camping areas should the need arise. Discussion followed.

Sandra Sayer (Mother) – 36770 Hwy. 228, Brownsville, Oregon 97327 – Opposed.

Mrs. Sayer expressed her concern over the longevity of the event. She stated that she was in opposition and that the event had grown too large with 18,000 people attending. She added that the event would have a negative effect on their farm productivity. She explained that they would have grain in their fields this year and they were worried about the potential for a fire.

Commissioner Tucker stated that the Brownsville Fire Department would need to work with the organizers from Willamette Country Music Festival to ensure the safety of the people attending the event and of the surrounding crops.

Scott Sayer (Son) – 36646 Hwy. 228, Brownsville, Oregon 97327 – Opposed.

Mr. Sayer stated that he had environmental concerns regarding the portion of Courtney Creek Crossing which comes from the General Admission entry area to the event site location. He added that it was impossible to operate their farm during the event due to the volume of traffic on Courtney Creek Road.

John Sayer (Father) – 36770 Hwy. 228, Brownsville, Oregon 97327 – Opposed.

Mr. Sayer stated that the event was for profit for Bi-Mart and the Willamette Country Music Festival organizers, even though they state they weren't making any money on the event.

Scott McDowell, City Administrator, City of Brownsville – Support.

Mr. McDowell thanked the Board and County staff who worked on the application. He added that it's great to see this kind of event happening in the County and that it's a positive impact for the City of Brownsville.

Commissioner Lindsey asked about the future plans for the event and expressed concern for the potential of increased attendance next year. Commissioner Tucker agreed and stated that he was not comfortable making a two-year approval with that possibility. Ms. Hankins stated that if there were continual issues arising from increased attendance, they would not increase it again until they got the issues resolved. She added that she and her staff would debrief after this year's concert to discuss any problems and how improvements could be made to make it better. Discussion followed.

Commissioner Nyquist closed the Public Hearing at 12:20 pm.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the application for a one-year permit and proposed to limit the attendance to 15,000 people. Additional conditions to include: all food vendors be duly licensed; a complete water analysis conducted in the quarter between July 1, 2013 and the date of the event of August 16, 2013; complete and comply with all requirements of ODOT and the Linn County Road Department on encroachment and complete the contracts with the Linn County Sheriff's Office and Sweet Home Sanitation. The vote was called. The motion passed 2-1 with Commissioner Nyquist voting in opposition.

Commissioner Nyquist stated that he voted in opposition due to the application being incomplete and added that it would turn the State Highway into a parking lot.

Action taken below.

G. Resolution & Order 2013-83 approving an Intergovernmental Agreement for 911-Dispatch Services between the Tangent Rural Fire Protection District and Linn County.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Orders 2013-077, 078, 079, 080, 081, 082 and 083. The vote was called. The motion passed unanimously.

9. Correspondence: Commissioner Nyquist mentioned the large amount of incoming correspondence the Board had received regarding the Willamette Country Music Festival decision. He stated he had responded to several of the letters which explained that the Board could not change their decision after the hearing had closed and provided the option and process to appeal to Circuit Court. Commissioner Tucker and Commissioner Lindsey stated they had received similar correspondence.

10. Special Orders:

A. Personnel Action Forms were accepted into the record for: Lawrence Jones (ITS).

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to accept the Personnel Action Forms as read into the record. The vote was called. The motion passed unanimously.

B. Proclamation – Proclaiming May, 2013 as “Older Americans Month.”

Commissioner Tucker read the proclamation for the record.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to accept the Proclamation. The vote was called. The motion passed unanimously.

11. Unfinished Business and General Orders: There was no unfinished business or general orders to come before the Board.

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

13. Announcements: A Management Staff Meeting is scheduled for Wednesday, May 1, 2013, beginning at 11:30 a.m. in the Basement Meeting Room. Next, Commissioner Nyquist shared that two students from West Albany High School had recently signed NFL contracts.

C. Environmental Health – Rick Partipilo, Linn County Environmental Health Program Manager.

1. Monthly Activity Report.

Mr. Partipilo provided the Board with a Monthly Activity Report for the month of April, 2013. A copy of his report is on file in the Linn County Clerk's Office in the Commissioner's Staff file. Mr. Partipilo stated that his department has made up revenues in the month of April, 2013 meeting budget projections for this year.

Next, the new FDA Food Model adopted by the State of Oregon has been more labor and time intensive for his staff than expected and it is proven by the number of restaurant re-checks completed through April, 2013 (171) compared to last year-end (169). Commissioner Nyquist asked Mr. Partipilo if the State is charged for the rechecks and Mr. Partipilo stated that the cost of the re-checks was built into the base fee. He feels that his office does a better job of performing re-checks than the State. Commissioner Nyquist was concerned that the increased workload would result in increased fees for the restaurant owner and stated that the Board would not look kindly to increased fees. Mr. Partipilo stated that he did not see that happening.

2. Resolution & Order 2013-140 approving a signature card with the State of Oregon, acting by and through its Oregon Business Development Department and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2013-140. The vote was called. The motion passed unanimously.

Next, Commissioner Nyquist stated that, in the Sunday *Oregonian* a few weeks back, there was a front page fold-over advertisement on the front page announcing that the 2013 Willamette Country Music Festival (WCMF) was sold out and they were now selling tickets for 2014. Commissioner Nyquist stated that it seems as if the County was on a merry-go-round in regard to the WCMF Outdoor Assembly application and there was never a place to just stop and take time to evaluate the application to come to a consensus. WCMF is now putting on a yearly event and new issues seem to keep coming before us.

Commissioner Nyquist stated that he was aware of three other counties that have a \$5,000 Outdoor Assembly Code application fee and the application goes through a conditional use permit process to meet land use requirements. The Board has never had

to ponder the thought of a group having 30,000 people at an annual event. Mr. Partipilo stated that the code revisions were still at the staff level and there has not been any notice of code amendments. The staff has not been asked to consider land use amendments. Commissioner Nyquist stated that he was proposing that the County give notice of code amendments so the folks selling tickets for next year's WCMF event were made aware.

Commissioner Lindsey stated that he would like to set a permanent cap on the number of attendance in the Outdoor Assembly Code and if the applicant wanted to go over that capped number, they would have to get a land use permit.

Commissioner Tucker asked Mr. Partipilo if he had a 2014 application from WCMF and Mr. Partipilo stated that he did not but that they usually file an application right after their last event. Commissioner Tucker stated that he would like to see the 2014 application prior to them selling tickets for the 2014 event.

Mr. Partipilo stated that his staff would be glad to receive direction from the Board and would ask the staff work group to sit down and look at the land use component to the code for lower level events if that would be helpful to the Board. A land use component would establish ground rules that would circumscribe the event and if they wanted to change the application, they could come back and amend their application. Discussion followed.

Commissioner Nyquist stated that if the department did not initiate the public notice process for code amendments then the message to WCMF would be that it would be reviewed under the current code that existed today for their 2014 event and he did not agree with the current code.

Action - The Board agreed to direct Rick Partipilo's staff to begin the code amendment notice process with the current code for the Outdoor Assembly Code and proposed amendments by the staff.

D. Resolution & Order 2013-127 approving Amendment No. 4 to an Intergovernmental Agreement for the Child and Adolescent needs and Strengths (CANS) screening services between the State of Oregon, Department of Human Services and Linn County and delegating authority to execute originals.

Action - Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2013-127. The vote was called. The motion passed unanimously.

grant offer. He added that they would need to have the discussion on accepting these types of federal grants in the future.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to decline the 2013 Community Development Block Grant Award for Housing Rehabilitation. The vote was called. The motion passed unanimously.

1. Environmental Health Monthly Activity Report for June 30, 2013 - Mr. Partipillo provided the Board the Environmental Health Monthly Activity Report. A copy of the report is on file in the Linn County Clerk's Office in the Commissioner's Staff File. Discussion followed.

2. Resolution & Order 2013-184 approving a Personal Services contract between AMEC Environmental and Infrastructure, Inc. and Linn County for remediation of the quarry site in Sweet Home.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2013-184. The vote was called. The motion passed unanimously.

3. Resolution & Order 2013-257 approving an application and issuing a permit for the 2013 Bi-Mart Willamette Country Music Festival (BWCMF).

Mr. Partipillo explained that this was for a one-year permit only with a 15,000 cap on attendance per day and a 3,000 cap per night for camping. Commissioner Tucker asked if the order included an application for the 2014 event. Mr. Partipillo responded that it did not. Commissioner Tucker stated that the folks at Willamette Country Music Festival need to be reminded that they can't advertise for the 2014 event until next year. Mr. Partipillo agreed and stated that he would remind them.

Commissioner Nyquist asked what the penalty was for advertising and running ads before the permit had been applied for. Mr. Partipillo responded that it would be a violation of Linn County Code and could result in a citation to Justice Court and a fine up to \$1,000 per day and per instance of the violation. Discussion followed.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2013-257. The vote was called. The motion passed unanimously.

10. Unfinished Business and General Orders: Commissioner Nyquist stated that he wished to go back to Item No. 5 "Business from the Public" as Mrs. Sandra Sayer was not present for that Agenda Item and he wanted to give her an opportunity to speak if she so desired. Mrs. Sayer stated that she was wishing to speak to the Board members individually but accepted the invitation to speak to them on the record.

Mrs. Sayer stated that she wanted to know from the Board whether or not it was helpful for her to "watch" her neighbors and if it would be helpful in the future or was she just frustrating herself. Commissioner Nyquist explained that Mrs. Sayer was referring to the conditional use permit the Board approved for the Willamette Country Music Festival (WCMF). He informed Mrs. Sayer that the Board had received her emails, which would now be on record for any future applications, and they were being forward to the appropriate person to be addressed in the event of future applications. Commissioner Nyquist continued by stating that the Board was only as smart as the information they are provided; the more information they receive the better.

Commissioner Nyquist stated that he believed the statute states that WCMF is able to set up five days prior to the event. He agreed that Mrs. Sayer raised a very good legal question in which the Board would need to consider when reviewing any future applications. Mrs. Sayer stated that she is asking for clarification as to whether set up is actually five days prior to the festival or is it whenever WCMF chooses.

Commissioner Nyquist thanked Mrs. Sayer for coming before the Board.

Next, Commissioner Lindsey was asked by the Board if he had researched the matter discussed in last week's Board meeting wherein Martha Lyon, Executive Director, Community Services Consortium, informed the Board that the Echo funds for public purpose was swept out of the Oregon Housing and Community Services budget. Commissioner Lindsey stated that the bill was placed by Governor Kitzhaber; the Governor is in charge. Commissioner Nyquist asked Commissioner Lindsey if he had documentation and Commissioner Lindsey stated yes that it was in his office. Commissioner Nyquist stated that the Board needs to decide how to go forward in regard to this matter.

11. New Business.

12. Announcement: Commissioner Nyquist announced that there will be an Elected Officials Luncheon on Wednesday, August 14, 2013 at Noon at the Linn County Fair/Expo Conference Room 4.

9. Special Orders:

A. Personnel Action Forms were accepted into the record for: Taron Witcraft (Expo); David Valencia (Juvenile) and Kim Brown (Juvenile Detention).

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to accept the Personnel Action Forms as read into the record. The vote was called. The motion passed unanimously.

B. Resolution & Order 2013-298 approving an Intergovernmental Agreement between the City of Lebanon and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2013-298. The vote was called. The motion passed unanimously.

10. Unfinished Business and General Orders: Commissioner Nyquist stated that the Board has been talking about modifying the Outdoor Assembly Code and there has been nothing that has come before the Board for some time. Ralph Wyatt, Linn County Administrative Officer, stated that he believed that the County Attorney's office and Rick Partipilo, Linn County Environmental Health Program Manager, were at a place where they would be ready and prepared to come before the Board with changes for the Board to review and would welcome their input and direction on this matter. Commissioner Nyquist asked that Mr. Wyatt contact the County Attorney's office and see about getting this item on the agenda in the next three or four weeks.

Commissioner Nyquist stated that there is a group that has just completed an event and are now preparing for their 2014 event. He stated that they are selling tickets and engaging in commerce based on the fact that they have submitted an application. Commissioner Nyquist requested that Mr. Partipilo bring the 2014 application before the Board, as soon as possible, before the 2014 event is sold out and the Board cannot make policy or rule changes. As a Board, we have the duty to process and act on this application in a timely manner. **Commissioner Lindsey stated that the last event was capped at 8,000 and the applicant was using a road that was not designed for that much traffic; it is a life and safety issue.**

Commissioner Nyquist asked if there was a consensus of the Board to bring the application before them in a timely manner. Commissioner Tucker stated that it would be an incomplete application and the applicant should not be selling tickets and voiced his

that a complete assessment and initial grant would be \$350,000. Commissioner Tucker stated that he appreciated the fact that Mr. Partipilo was applying for grants.

2. Solid Waste Committee Activities – Mr. Partipilo stated that he was currently putting together a committee meeting to discuss two items: renewal of franchise certificates and a rate increase for sanitation services. There are currently seven franchise certificates held by three companies. The certificates are for a ten year period and his department is in the process of updating the certificates which expire at the end of September, 2013. Commissioner Nyquist asked when Mr. Partipilo thought the certificates would come before the Board for their approval and Mr. Partipilo stated that the committee would be meeting on Wednesday, September 4, 2013 and then the decision package would be before the Board in mid-September, 2013.

Commissioner Tucker stated that some of the rural areas have been asking for recycling centers. Commissioner Nyquist stated that recycle centers are not without a cost of increase in garbage bills. Mr. Partipilo stated that, at the upcoming meeting, the committee will discuss recycling depots.

3. Willamette Country Music Festival – Commissioner Nyquist asked that the 2014 application come before the Board as soon as possible in order for the Board to review before too much time goes by and then it is difficult to take a position on the application. Mr. Partipilo stated that the Applicant had applied for a two-year permit and that the Linn County Attorney stated that the 2014 application was valid according to the Linn County Code. Commissioner Nyquist stated that he thought the Board only approved the 2013 application and denied the 2014 application. Mr. Partipilo stated that the County Attorney needed to review the matter further and it is possible that the Linn County Code is silent on that matter. Commissioner Nyquist was adamant that the application come before the Board for review as soon as possible. Discussion followed.

Commissioner Nyquist told Mr. Partipilo that he appreciated all the work he had done in regard to this matter.

D. Resolution & Order 2013-291 approving Amendment No. 1 to an Intergovernmental Agreement for the financing of Public Health Services (Contract No. 142020) between the State of Oregon, Oregon Health Authority and Linn County and delegating authority to execute originals.

Action Taken Below.

Minutes of the Linn County Board of Commissioners adjourned meeting, September 10, 2013 and continued to September 11, 2013:

Those present at various times for the matters as indicated below were: Rick Partipilo, Linn County Environmental Health Program Manager; Robert Wheeldon, Linn County Planning and Building Director; Eugene Karandy, County Attorney for Linn County; Barbara Witt; Steve Bryant and Alex Paul, Reporter for the Democrat-Herald.

15 16. At 9:30 a.m. Chairman Nyquist called the meeting to order and roll call followed. Commissioners Roger Nyquist, Chairman; John K. Lindsey, Vice-Chairman and Will Tucker were present, as well as, Ralph Wyatt, Linn County Administrative Officer and Heather Gravelle, Recorder for the Board of Commissioners.

17. Approval of the September 3 and 4, 2013 Commissioner's Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the September 3 and 4, 2013 Commissioner's Meeting Minutes. The vote was called. The motion passed unanimously.

18. Business from Public (2 minute limit per speaker): There was no one present from the public wishing to use this forum.

19. Environmental Health – Rick Partipilo, Linn County Environmental Health Program Manager.

A. Discussion of the Outdoor Assembly Code.

Mr. Partipilo explained that staff recently met and came up with several items to review regarding the Outdoor Assembly Code. He distributed a draft version of Title 5, Chapter 580, Outdoor Assembly Peace, Health, Safety, and Welfare Code. The draft is on file in the Linn County Clerk's Office in the Commissioner's Staff File. Mr. Partipilo explained that it was in draft form only and not the final language.

Mr. Partipilo stated that, as they were reviewing the code, staff determined that an initial review of all of the outdoor assembly proposals should be reviewed first at the Planning Department level to separate them out to determine if they are Level 1, 2, 3 or 4. Discussion followed.

Gene Karandy, County Attorney for Linn County, stated that for outdoor mass gatherings – State Statute instructions state that the County shall issue a permit when the organizer has exhibited compliance. He explained that there could be potential problems if the County tried to go beyond what is in code and exceeded their authority. Discussion followed.

Commissioner Nyquist stated the Board was interested in determining a threshold number of the large events to ensure adequate infrastructure, minimize conflict and address compatibility issues. Discussion followed.

Commissioner Tucker agreed and added that it needed to be defined differently for the specific size of event, explaining that, if the event was over "X" amount of people it would need a compatibility process. If it was under "X" amount of people, it may not need one. He added that the code is also unclear on the event set-up and take-down time that is allotted. He explained if it was a larger event, it would need more time. Next, he shared that the term "attendees" isn't defined well in the current code. Discussion followed.

Mr. Partipilo responded that the issue has been determining when the event actually begins. He explained that there is a five-day window for organizers to bring staff in to set-up and tear-down the event. He stated that the preference, at staff level, is to allow those operations of set-up and take-down outside of the five-day window to help promote a more orderly event. Discussion followed.

Next, Mr. Partipilo stated that multiple-year permits are allowed in current code for up to two-years. He explained staff discussed the possibilities that two-years could potentially encompass 7 or 8 events and that seemed excessive. Commissioner Nyquist stated that it was a mistake that the Board ever revised the code to allot for the two-year permits. Commissioner Tucker disagreed and commented that the event organizers should have the certainty they would have the event the following year.

Commissioner Nyquist responded that, if the event wasn't over a certain size, it would be ok to grant a two-year application; if it was over a certain size, it would not. Commissioner Tucker expressed that it needed to be looked at through the promoter point of view. Discussion followed.

Barbara Witt, property owner on Witt Drive, expressed her concerns with the sprint boat races that are held near her property. She explained that there were several safety issues due to the races.

She stated that she lives on a one-way dead-end road with several children in the area playing. People driving to the races often get turned around and end up on her street and drive carelessly. Next, Ms. Witt shared that the noise caused by the races is extreme. Commissioner Lindsey commented that he doesn't think the races would be held there again and that they would be moving the event to another location. Discussion followed.

James Bryant, property owner on Roger's Drive, stated that a Linn County Judge had ordered that no off-road events were to be held near his property, specifying any altered vehicles, due to the massive noise level. He explained that they are still conducting these events anyway. He stated that he had been working with the Planning Department staff and had video taped what the people were doing on and near his property and fence line during those events. He wrote to Linn County Counsel asking about the writ the judge had written and hadn't received an answer back if the writ was still valid. He stated that he had the court order that would prevent the activity from occurring, but questioned who would enforce it. Mr. Karandy responded that County Counsel can't provide legal advice to the public; however they had suggested that Mr. Bryant find a land use attorney. Discussion followed.

B. Discussion of the Willamette Country Music Festival 2014 Application.

Mr. Partipilo explained that the Willamette Country Music Festival (WCMF) application had been approved for 2013 and 2014. Commissioner Nyquist questioned how the two-year approval had occurred. Mr. Partipilo stated it was due to staff oversight – they did not realize that the application WCMF had submitted was for two-years. He specified that the permit had not been approved for the 2014 event; only the application had been approved.

Mr. Karandy stated that the County received the application and acted upon it. He explained that it had been approved and WCMF wouldn't need to file a new application for 2014, but the Board could hold a hearing. Commissioner Nyquist questioned why they would hold a hearing on an application that had already been approved. Commissioner Tucker explained that the hearing would be held for the permit approval; not the application approval. He added that it would be for life and safety purposes. Discussion followed.

Commissioner Nyquist commented that the changes that staff was proposing to the code wouldn't apply to WCMF's current application.

Mr. Partipilo responded that that was correct, however; the code revisions would apply for any future application that they submitted. Discussion followed.

Commissioner Nyquist requested that Mr. Partipilo advise WCMF that the Board would be scheduling a hearing on their permit in the near future. Mr. Partipilo agreed and stated that he would work on it over the next couple months. Commissioner Nyquist requested that the hearing be scheduled before the first of the year.

20. Special Orders: There were no special orders to come before the Board.

21. Unfinished Business:

A. Calendar Update – Commissioner's updated their calendars.

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

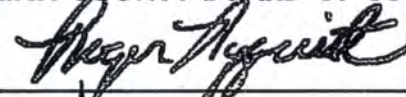
23. Announcements: There were no announcements.

24. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 11:28 a.m. by unanimous consent.

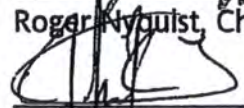
The next regular public meeting of the Board of Commissioners is scheduled for Tuesday and Wednesday, September 17 and 18, 2013.


Recorder
For Board of Commissioners
Heather Gravelle

LINN COUNTY BOARD OF COMMISSIONERS



Roger Nyquist, Chairman



John K. Lindsey, Commissioner



William C. Tucker, Commissioner

Date 9 - 25 - 2013

16, 17. At 9:30 a.m. Chairman Nyquist called the meeting to order and roll call followed. Commissioners Roger Nyquist, Chairman; John K. Lindsey, Vice-Chairman and Will Tucker were present, as well as, Ralph Wyatt, Linn County Administrative Officer and Marsha Meyer, Recorder for the Board of Commissioners.

Commissioner Nyquist stated that he had received a call from John Morrison, Secretary, Brownsville Chamber of Commerce, stating he was concerned about the new Outdoor Assembly Code. Commissioner Nyquist stated that he told Mr. Morrison that he had not seen a new code yet and then he asked Gene Karandy, County Attorney for Linn County, about what Mr. Morrison had stated. Mr. Karandy indicated that he did send a draft copy, not a final copy, of the Outdoor Assembly Code to the Attorney for the Willamette Country Music Festival, however, he and Rick Partipilo, Linn County Environmental Health Program Manager, still needed to make the final changes. Mr. Morrison implied that he had received the copy from the City of Brownsville who, in turn, received the copy from Ralph Wyatt, Linn County Administrative Officer. Mr. Wyatt stated that he did not send anything to the City of Brownsville. Commissioner Nyquist stated that this was the problem with the Willamette Country Music Festival organizers; they perceive that something is ready to act on when it is not.

18. Approval of the February 18 and 19, 2014 Commissioners' Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the February 18 and 19, 2014 Commissioners' Meeting Minutes. The vote was called. The motion passed unanimously.

19. Business from Public (2 minute limit per speaker): There was no one from the public wishing to use this forum.

20. Parks Department – Brian Carroll, Linn County Parks and Recreation Director.

Mr. Carroll stated that the agreement with Edgewater RV Resort & Marina was for \$775,000 and included the resort, 49 campsites and 40 Marina sites with a possibility of 48 Marina sites.

Commissioner Tucker asked Mr. Karandy if he had any concerns with the operational portion. Mr. Karandy stated he had shared all the changes with the Attorney for Edgewater and tried to be as favorable to the County as possible and the Sellers had agreed to all the changes. If there appeared to be any problems, the County can ask for an extension of the closing date. There are still some details to work out. Mr. Karandy stated that the property list was not set in stone, however, that did not mean that the County was going to receive anything less than

16. Public Hearing - (Continued from Tuesday, April 1, 2014) An application submitted by Anne M. Hankins representing Willamette Country Music Concerts, Inc. for an Outdoor Assembly Permit (Chapter 580, Outdoor Assembly Code) – Rick Partipilo, Linn County Environmental Health Program Manager.

Commissioner Nyquist opened the Public Hearing at 10:00 a.m.

Mr. Partipilo explained what the revisions were to the 2014 Willamette Country Music application packet and stated what the conditions were as outlined Resolution & Order 2014-117.

Next, Commissioner Tucker listed the items that had been submitted for the record on April 1, 2014: the sign in sheet from the Public Hearing held on Tuesday, April 1, 2014; the Staff Report from Rick Partipilo dated March 26, 2014; a Letter of Support submitted by Calapooia Food Alliance dated March 28, 2014; the Financial Statement of the Willamette Country Music Festival Booster Club Fundraisers presented by Connie McManus; a Letter submitted by Central Valley Gleaners dated March 31, 2014 and a Letter from Reed & Robyn Anderson dated March 26, 2014.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to accept the items as read into the record. The vote was called. The motion passed unanimously.

Mr. Partipilo then stated the additional items received since the April 1, 2014 Public Hearing that needed to be entered into the record: An email string from Rick Partipilo to Daniel Woodson, Chief of the Lebanon Fire District, Mike Beaver, Chief of the Sweet Home Fire District and Karama Billick, Director of Event Planning for the Willamette Country Music Festival dated April 18, 2014; an email with a letter attached received from Anne Hankins, President of the Willamette Country Music Festival, addressed to the Jack Sayer Family, dated April 18, 2014 and an article from *The Times* newspaper dated April 9, 2014 regarding the 2014 Willamette Country Music Festival Permit Application. Discussion followed.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to accept the additional items as read into the record. The vote was called. The motion passed unanimously.

Commissioner Nyquist questioned conditions 2 and 3 in Resolution & Order 2014-117, regarding advance ticket sales. He stated although it had been past practice it conflicts with current Statute. He added that he understood that event organizers and members of the public wanted certainty long-term for the event and the best way to do that is to set the hearing for the 2015 event as soon as possible.

Mr. Partipilo responded that they could set it before the 2014 event or after. Commissioner Nyquist stated it needed to occur as soon as possible. After discussion of possible dates, the Board set the 2015 Willamette Country Music Festival Public Hearing for Tuesday, May 20, 2014 at 10:00 a.m.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2014-117. The vote was called. The motion passed unanimously.

Commissioner Nyquist recessed the regular meeting at 10:15 a.m.

Commissioner Nyquist reconvened the regular meeting at 10:30 a.m.

17. Public Hearing - (Continued from Wednesday, April 9, 2014) BC13-0002: concurrent applications by Knife River Corporation for a Comprehensive Plan text amendment to include 67.37-acres in the Linn County aggregate inventory as a significant aggregate resource site, an Aggregate Resource Overlay (ARO) zone amendment, and a development permit for aggregate mining and processing – Olivia Glantz, Associate Planner, Linn County Planning and Building Director.

Commissioner Nyquist stated the Board conducted a site visit to the proposed Knife River quarry expansion on Stahlbush Island Farms on Wednesday, April 9, 2014. He added that each Commissioner would need to disclose any conversations, observations or information that they received while on the site.

Commissioner Nyquist called upon Olivia Glantz, Associate Planner, Linn County Planning and Building Department, to provide brief background information on the application and to provide any new information.

Ms. Glantz stated that the Public Hearing was opened on April 2, 2014, and was continued to April 9, 2014 at which point the Board of Commissioners went out for a site visit to the proposed Knife River quarry expansion on Stahlbush Island Farms.

8. Sheriff's Office – Tami Wood, Captain Civil Division, Sheriff's Office.

A. Opening of the Request for Proposals for Towing Services for the Linn County Sheriff's Office.

Commissioner Nyquist stated that, in the interest of time, the Board would go ahead and open the RFP's and not delay to 10:15 a.m.

Captain Wood stated that the Sheriff's Office received nine bids and only three of them were sealed, however, she had not looked at any of the bids prior to the Board meeting. Captain Wood proceeded to open the bids as follows:

1. Alright Towing – Zone 1
2. Hwy 34 Towing – Zone 1
3. Hwy 34 Towing – Zone 4
4. Lloyd R. Rice Towing Service – Zone 3
5. Lebanon Towing – Zone 2
6. AA Towing – All Zones Class B & C
7. AA Towing – Zone 4
8. AA Towing – Zone 2
9. AA Towing – Zone 1

Commissioner Lindsey stated that, unfortunately, the rates Captain Wood read were over the top and he wants to see more uniform rates in the same way it is done for rock crushing bids. Commissioner Tucker stated that some of the zones were out of the way. Commissioner Nyquist recommended that Mr. Lindsey give his input to Captain Wood. The Board looked forward to Captain Wood's recommendation.

9. Public Hearing – An application submitted by Anne M. Hankins representing Willamette Country Music Concerts, Inc. for an Outdoor Assembly Permit (Chapter 580, Outdoor Assembly Code) to conduct two outdoor music festival events: the first to be held on August 13-16, 2015 and the second on August 18-21, 2016 – Rick Partipilo, Linn County Environmental Health Program Manager.

Commissioner Nyquist opened the Public Hearing at 10:15 a.m. and explained there were two items both scheduled to be heard at 10:00 a.m. He then called upon Rick Partipilo, Linn County Environmental Health Program Manager, to give a summary and background information.

Mr. Partipilo stated that the Board had received an original packet which included the application, assembly plans submitted by Willamette Country Music Festival (WCMF), as well as, a copy of the Public Hearing Notice. He mentioned that, last night, he had distributed another packet of information that included emails he had received since May 1, 2104. Mr. Partipilo stated that the Applicant just saw this new packet.

Commissioner Nyquist asked Mr. Partipilo if the two-year application and the Linn County Code would allow the Board to grant the permits for two years since the 2016 event date was outside of the two-year window. Gene Karandy, County Attorney for Linn County, stated that the reason for today's hearing was due to the fact that once the application is complete there must be a hearing scheduled within 155 days. If the Board approved the two-year application, the 2016 event would have to occur before May, 2016 in order to be within the two-year window.

Mr. Partipilo stated that the Applicant had requested, in writing, that the hearing be continued until after the 2014 event in order to have more facts regarding the changes to the traffic plan and security. Additionally, due to the limitations, the Applicant would like to continue this hearing until after August, 2014 for a two-year event. Mr. Karandy stated that Linn County Code requires today's hearing but that there was nothing keeping the Board from continuing the hearing until September or October, 2014.

Commissioner Nyquist stated that, at the last hearing the Applicant wanted a time certain. If the Applicant turns in an application for two years and the governing body says the application is complete then, procedurally, the governing body has now told the Applicant the interpretation of the code. Commissioner Nyquist stated that the Applicant turned in a two-year application and today's hearing is to deem the application complete. Mr. Partipilo added that he has had conversations with WCMF Staff and has talked with their attorney about their request to continue the hearing. Commissioner Nyquist stated that the Board is prohibited to approve a two-year contract due to the County's code. The Board cannot approve a two-year event today.

Commissioner Tucker suggested that the process be divided where the Board deems the application complete and sets an attendance limit for 2015 and then moves the date for the final approval for 2015 outside the issues of this event. The Applicant should have a chance to comment on this. The Applicant is allowed to sell tickets for 2014 once the application is declared complete.

Commissioner Lindsey stated that he did not support any application; he only approves them. During this time, we have been trying to make changes to the Outdoor Assembly Code so right now the Board cannot consider an application for 2016. Mr. Karandy stated

that the Board could consider an application for 2016 with the goal posts that are currently in place. Commissioner Lindsey stated that he had several concerns with the weekend in August because there are several other events happening around the same time and the County begins running out of public safety options and that's where the problems begin. The Board has to take this into consideration as well.

Commissioner Nyquist stated that it is the assumption that the governing body can approve the 2015 and 2016 application if it is deemed complete. Going forward, he stated that he does not want to be put in that "box". Mr. Karandy stated that the Linn County code is subject to State law.

Commissioner Nyquist called upon the Applicant to give testimony.

Anne Hankins, Willamette Country Music Festival, Eugene, Oregon – Applicant.

Ms. Hankins started by saying that she was confused and asked if she could proceed with the application to deem it complete and get the 2016 event approved today. She stated that the traffic plan for 2014 would be the same for 2015 and 2016. She addressed Commissioner Lindsey's concern about taxing the law enforcement and emergency agencies and stated that they would debrief after the 2014 event regarding that issue.

Ms. Hankins stated that the organizers have had continued conversations with the Linn County Sheriff's Office and they do not expect to increase coverage by the Sheriff's Office, however, they have increased the security coverage for the 2015 event. She then stated that, other than adding one doctor to the medical team, all other programs would remain the same as outlined for 2014.

Ms. Hankins then called upon other staff members to provide a quick overview and answer any questions by the Board.

Karl Birky, Engineer, Project Delivery Group, gave an update on the traffic plan. He stated that Darrin Lane, Linn County Roadmaster, was very helpful and they tried to incorporate the changes Mr. Lane suggested. Mr. Birky contacted ODOT to include signage on the south side going east coming through Brownsville and stated that he didn't think there was anything unusual to report.

Commissioner Nyquist stated that, looking at the 2015 and 2016 application, there was no way to know if the new signage worked. He asked if they organizers would be promoting instructions of how to get to the event coming from the south or how to come from any route the event goers may take. Ms. Hankins stated that they would be using their

website and other avenues to get the information out to the event goers. Commissioner Nyquist complimented her on the great job the organizers have done in communicating the information to the public.

Next, Tim Flowerday, WCMF Event Management Consultant, explained the plan of having two different entrances to help alleviate the choke point in the section coming through Brownsville. There will be a Deputy at the intersection to encourage people to move along. He referred to Map 2C of the traffic control maps. Commissioner Nyquist stated that the Board was handicapped in being able to see how the traffic plan would work.

Next, Mr. Flowerday discussed changes of increased sanitation for the concert area and the camping area. Ms. Hankins stated that medical staff, security and sanitation would increase each year for 2015 and 2016; they try to exceed the State standards. There would be no anticipated changes to the alcohol serving area. We will have more monitors and more serving areas to help alleviate the long lines.

Don Leber, Bi-Mart Corporation, addressed the marketing aspect. He stated that an aggressive approach was being taken to educate the event goers about the traffic flow and other important information. Information would be placed on all the Bi-Mart bags and there is a dedicated section in the *Oregonian* cuing on the designated radio networks. In 2015 and 2016 there will be signage up and down I-5 and they are working with the Cities, Counties and the State to get the information out to the public. All the campers will get the information along with maps of the event site.

Commissioner Lindsey asked about the increased drug activity. He asked about teenagers and marijuana and other drug use. Ms. Hankins stated that security is aware and educated and are use to working events where you have this same issue. Drug use is treated the same as any other illegal use. There is a "no tolerance" policy and they promote that on all their literature; we educate on what is and what is not acceptable and take the liability very seriously. He stated that they are aggressive in getting that message out to the public.

Commissioner Nyquist called upon those who had signed up to speak in support.

Mike Beaver, Fire Chief, Sweet Home Fire & Ambulance District – 1361 Evergreen Lane, Sweet Home, OR 97386 – Supports.

Mr. Beaver stated that, so far over the two years working with the festival organizers, there have been nothing but good results. Having one ambulance on site has worked well. He did state that, in the future, there may need to be a second ambulance on site. It

is critical that there continues to be communication between him and the festival organizers as transport is limited and they may need to call in other outside agencies to help relieve the burden due to the many events that occur in August as it is their busiest time of year. Next, Mr. Beaver stated that he was glad to hear the organizers say they are looking to add more medical personnel in the future.

Commissioner Tucker stated that he was concerned that, as the attendance numbers increase, Mr. Beaver needed to stay engaged and, if the attendance does become a problem that he needed to notify the Board. He stated that the Board was looking to hear that the organizers have a safe plan in place. Chief Beaver agreed. Commissioner Lindsey stated his concerns of the Oregon State Police being shorthand during the time of the event and that other Counties may also be shorthanded as well.

S. Scott McDowell, Brownsville City Administrator – 806 Oak St, Brownsville, OR 97327 – Supports.

Mr. McDowell stated that he wanted the Board to know that the City of Brownsville City Council Members approved the proposed route off I-5, Hwy 34 and down Seven Mile Lane. He also stated that he had met with the event organizers and Sandra Sayer, Brownsville farmer, to discuss several options to help make her feel comfortable with the event since the event site is next to her farm. There was discussion of placing “do not enter” signs at her farm entrances.

Mr. McDowell told the Commissioners that the City of Brownsville was grateful that they were considering a two-year event application and noted that the County’s staff have been great to work with. He stated that because of this event, the “Visit Linn Coalition” has received a lot of support and thanked the organizers for their contribution.

Don Ware, 303 Spaulding, Brownsville OR 97327 – Supports.

Mr. Ware stated that he had no testimony but wanted to say that he was in support of the two-year application by the organizers.

Commissioner Nyquist recessed the Public Hearing at 11:04 a.m.

Commissioner Nyquist reconvened the Public Hearing at 11:10 a.m.

Commissioner Nyquist asked if there was anyone wishing to speak in Opposition.

Sandra Sayer, 36770 Hwy 228, Brownsville, OR 97327 – Opposed.

Ms. Sayer started by saying she turned down the offer of the event organizers to place “police” tape at her farm entrances.

She stated that her family were farmers and their greatest concern was safety and the County’s resources being stretched with increased attendance. She stated that she did not believe that the current County resources could handle an additional 10,000 in attendance. Mrs. Sayer stated that she had private conversations with the police and fire chiefs and was told that they did not think their resources were adequate to cover an increase in attendance for the event. She wants Brownsville to be known for a festival; not a tragedy.

Scott Sayer, 36646 Hwy 228, Brownsville, OR 97327 – Opposed.

Mr. Sayer stated that he agreed with his mother’s (Sandra Sayer) concerns about the increased attendance. Safety is a big concern. The event is held during harvest and farmers are busy on the roads during that time of year. He asked the Board where the concern was for the agriculture within Linn County. Mr. Sayer referred to the testimony earlier of Karl Birky who stated there will be an accident. Enough is enough; the event has outgrown its location. He stated that everyone wants to “rubber stamp” a good time; however, Mr. Sayer and his family do not support the event as there are high risks involved.

Commissioner Nyquist asked Mr. Sayer, with the changes in the event dates in August, did that change things for him. Mr. Sayer replied that the event is always the 2nd week in August; the time for harvest. Commissioner Nyquist stated that it was unfortunate that Mr. Sayer thought the Public Hearing was a “rubber stamp” meeting.

Mrs. Sayer stated that public safety was being put at risk. They hear one thing when they meet privately with the police and fire chiefs then when they are in a public meeting.

Commissioner Nyquist stated, in regard to the issue of public safety, he viewed the message the Sayers’ were getting today as inconsistent. Both the ambulance and Sheriff’s Office have concerns as to how large this event gets and we have that in writing.

Mr. Sayer asked the Board to wait on their decision until after the 2014 event. Commissioner Nyquist stated that he believed the organizers agreed. He stated that, although it seemed futile to Mr. Sayer, the emphasis is to try and get the pressure off him by rerouting the event traffic.

Mr. Sayer asked that they wait until they know what happens after 2014.

Next, Commissioner Nyquist asked if there was anyone who was neutral who wished to speak. There was no one wishing to speak.

Commissioner Nyquist asked if the Applicant wished to rebut any additional testimony.

Ms. Hankins stated that the event had gone through many changes over the last seven years. They work with the reviewing authorities who includes the Sheriff and Fire Chiefs, as well as ODOT and OLCC. The organizers spend one million dollars on the infrastructure of the event. In the meeting with the Sayers and Mr. McDowell the organizers told the Sayers to let them know if there was anything else they could do. Ms. Hankins stated that she would like to continue the conversation and hoped the Sayers would be open to that.

Commissioner Nyquist asked Ms. Hankins what the issue was in the change of event dates. Ms. Hankins stated that it's always the 2nd weekend in August and the dates only change by a few days given whether or not it is a leap year but it's still the 2nd weekend in August.

Commissioner Nyquist stated that the County Staff had indicated that the organizers were going to ask for a continuance of the hearing. Ms. Hankins replied that if the Board could vote on the 2015 and 2016 application, they would prefer to move forward; if not, and the Board only votes on the 2015 application keeping the two year application open, then she would be okay with that as well.

Commissioner Nyquist asked what the pleasure of the Board would be. Commissioner Tucker stated that he would like to leave the record open and make no final decision today; continue the hearing after the 2014 event was over and have a consensus from the Board to deem the application complete allowing the organizers the opportunity to advertise now with the attendance to be determined after the 2014 event was wrapped up. He understood that the Board couldn't vote on the 2016 application.

Commissioner Lindsey stated that he knows the difference between an appointed and elected official and what is said behind closed doors. Commissioner Tucker stated that he has spoken with all the officials involved.

Commissioner Nyquist proposed that the Board continue the hearing and leave the record open to a date certain which would be after the 2014 event. Commissioner Nyquist asked Ms. Hankins if Wednesday, September 3, 2014 would work. Discussion continued. Ms. Hankins stated that Wednesday, September 24, 2014 would be a better

date and it would be long enough after the event to know better about what worked and what needed to be changed.

Action – Commissioner Tucker moved to continue the Public Hearing to Wednesday, September 24, 2014 leaving the record open. Commissioner Lindsey seconded the motion.

Commissioner Nyquist pointed out the inadequacies in the Linn County code and stated that it needed to be addressed; the Applicant deserves that. He stated that the County's own code didn't allow the Board to act on this type of matter. Commissioner Nyquist stated that, in a few months, everyone would be smarter than they were today as it relates to the attendance and public safety issues. He acknowledged that today's hearing wasn't the most efficient but that it was a reasonable approach to the matter.

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 were read into the record for: Eusebio Herrera-Perez (Alcohol & Drug); Darwin Merrill (Children & Family); Ledru Hochstetler (Expo); Rachel Adamec, Miranda Justus and Cameron Meyer (General Services); Dena McMillen, Todd Noble, Teri Polequin and Gale Smolen (Mental Health); Daniel Carper, Daniel Pavel, Kristopher Philpot, Calub Shoulders and Justin Taylor (Parks & Recreation); Roxanne Ellingboe, Jane Fleischbein, Lorraine Johnson, Katherine Pecchioni Graham and Judy Treanor (Public Health); Peter Meyr and Steve Nunez (Road Department).

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to accept the Personnel Action Forms as read into the record. The vote was called. The motion passed unanimously.

B. Resolution 2014-136 Appointing & Reappointing Members to the Linn County Historical Museum Advisory Commission.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution 2014-136. The vote was called. The motion passed unanimously.

Commissioner Nyquist informed Mr. Partipilo that Courtroom 1 had been reserved for the Willamette Country Music Festival (WCMF) hearing scheduled for Wednesday, September 24, 2014. He added that he would like to insure that the final staff report with findings

would be available for the Board to review prior to the hearing. Commissioner Tucker agreed and added that he wanted to see staff recommendations by Friday, September 19, 2014. Mr. Partipilo responded that was doable.

Next, Mr. Partipilo shared that the Brownsville, Sweet Home and Lebanon Fire Departments, along with designated Emergency Medical Services (EMS) Staff, would be convening a meeting that would include WCMF Staff, to review how the 2014 festival went and to go over any possible issues and concerns for the 2015 event. Commissioner Nyquist shared that his approach moving forward was to rely on the recommendation of the Public Safety Officials. Discussion followed.

Next, Mr. Wyatt shared that Linn County had been awarded the EPA Grant for the Desler property for \$350,000. Commissioner Nyquist asked that, after three years, would he be ready to make a recommendation. Mr. Partipilo replied that he hoped so and that it may need further study after that. He briefly explained the details of the study and added that they should be able to identify areas that would not be impacted. Discussion followed. Commissioner Tucker thanked Mr. Partipilo for his work and obtaining the grant.

C. Resolution & Order 2014-304 approving an Amendment No. 6 to an Intergovernmental Agreement for the financing of Public Health Services (Contract No. 142020) between the State of Oregon, Oregon Health Authority and Linn County and delegating authority to execute originals.

Action Taken Below.

D. Resolution & Order 2014-306 approving an Amendment No. 7 to an Intergovernmental Agreement for the financing of Public Health Services (Contract No. 142020) between the State of Oregon, Oregon Health Authority and Linn County and delegating authority to execute originals.

Action Taken Below.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2014-311. The vote was called. The motion passed unanimously.

Commissioner Nyquist asked Mr. Lane if he had talked to WCMF Staff regarding the revised traffic plan and how it went for the 2014 event. Mr. Lane responded that he had not spoken to WCMF Staff yet, but that the revisions they had made to the traffic plan seemed to be helpful. He added that he would like to see the traffic improvement plan for more than one year at a time. Commissioner Nyquist stated that at the hearing set for Wednesday, September 24, 2014, they would discuss the matter further.

21. Special Orders: There were no special orders to come before the Board.

22. Unfinished Business:

A. Calendar Update – The Board updated their calendars.

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

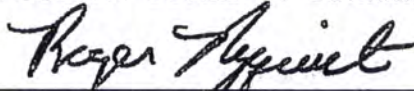
24. Announcements: Commissioner Nyquist announced that all Board members would be attending the Lebanon Veteran's Home Dedication on Saturday, September 20, 2014.

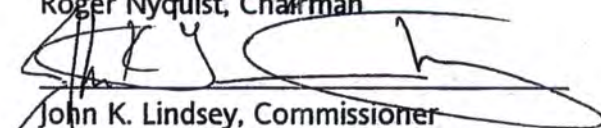
25. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 9:55 a.m. by unanimous consent.

The next regular public meeting of the Board of Commissioners is scheduled for Tuesday and Wednesday, September 23 and 24, 2014.


Recorder
For Board of Commissioners
Heather Gravelle

LINN COUNTY BOARD OF COMMISSIONERS


Roger Nyquist, Chairman


John K. Lindsey, Commissioner


William C. Tucker, Commissioner

Date 9-24-2014

Commissioner Nyquist recessed the regular Board meeting at 9:45 a.m.

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

8. Second Reading of Ordinance 2014-331 in the matter of amending the Linn County Outdoor Assembly Code, Codified at Linn County Code 580.

Gene Karandy, County Attorney for Linn County, explained that per the Board's direction, County Staff and interested parties met on Tuesday, October 7, 2014 to review and provide input on possible modifications to the Outdoor Assembly Code. He then referred to a written summary provided by Rick Partipilo, Linn County Environmental Health Program Manager, outlining who attended the work sessions and what code sections were discussed.

Mr. Karandy shared that proposed changes were discussed at the work sessions and Willamette Country Music Festival had provided a working draft of their suggested changes. He explained that Staff had not had a chance to develop a Staff recommendation of proposed changes to the Board, that they were not ready to have the second reading of the ordinance and that they would need to reschedule it to a date and time certain to provide Staff time to develop their recommendation for amendments. Mr. Karandy added that once the changes had been established, each change from the original version would need to be read into the record before it would be adopted.

Commissioner Tucker explained that he would like Staff to look at limiting the size of all the registered events and suggested that Staff, including Law Enforcement, review the size of the event to identify not only Law Enforcement response, but to determine when we should engage the public process that would include setting conditions reflective of the needs of the affected neighborhoods or communities around the size of the event. Discussion followed.

Commissioner Tucker explained that the Board would need adequate time to review the current version to determine what changes would be appropriate. He then asked Mr. Karandy when they would schedule the Second Reading of the Ordinance. Commissioner Nyquist recommended continuing the Second Reading to Wednesday, November 12, 2014 and suggested that Staff reconcile all comments they had received to provide the Board a starting point. He added that Board members could submit their input and proposed changes to Staff individually. Discussion followed.

Anne Hankins, President, Willamette Country Music Festival (WCMF), stated that the work session held on Tuesday, October 7, 2014 was very productive and that she felt they needed an additional meeting before the Second Reading of the Ordinance, as they did not get through all the items.

Commissioner Nyquist stated that all affected parties were invited to participate. He stated that, rather than setting another formal work session, interested parties could engage Staff any time prior to the Second Reading. Mr. Karandy agreed and stated that Staff would work informally with any interested parties and that they would always have the right to submit their written comments for consideration.

Action – The Board, by consensus, agreed to continue the Second Reading of Ordinance 2014-331 to Wednesday, November 12, 2014 at 10:00 a.m.

9. Correspondence: Commissioner Tucker shared that he had recently received an email from Command Sergeant Major for the 1-82 Cavalry. He explained that, on Wednesday, May 14, 2014, the Board of Commissioners had presented the Squadron Commander, LTC Dan Miner Jr. with a Linn County flag to fly while they were in Afghanistan. The email included a picture of the flag and they had asked that it be mentioned that it was flown in honor of Linn County at the 1-82 Cavalry Base Defense Operations Center on Shindand Airbase, Afghanistan.

10. Special Orders:

A. Personnel Action Forms were read into the record for: Cherry Hartman and Lynne Moore (Mental Health); Kirk Mikkelsen and Mary Zippler (Parks and Recreation); Breeanna Oxford (Planning and Building) and Daniel Sanchez (Public Health).

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to accept the Personnel Action Forms as read into the record. The vote was called. The motion passed unanimously.

B. Resolution & Order 2014-338 approving a First-Time Youth Wage Grant Agreement between Linn County and East Linn Christian Academy.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2014-338. The vote was called. The motion passed unanimously.

Minutes of the Linn County Board of Commissioners adjourned meeting, December 9, 2014 and continued to December 10, 2014:

Those present at various times for the matters as indicated below were: Darrin Lane, Linn County Roadmaster; Eugene Karandy, County Attorney for Linn County; Robert Wheeldon, Linn County Planning and Building Director; Rick Partipilo, Linn County Environmental Health Program Manager; Scott McDowell, City Administrator, City of Brownsville; John Morrison, City Council Member, City of Brownsville; Lauren King, Leahy, Van Vactor, Cox and Melendy LLP; Anne Hankins, President Willamette Country Music Festival (WCMF); Karama Billick, Director of Event Planning for the Willamette Country Music Festival and Alex Paul, Reporter for the Democrat-Herald.

17,18. At 9:30 a.m. Chairman Nyquist called the meeting to order and roll call followed. Commissioners Roger Nyquist, Chairman; John K. Lindsey, Vice-Chairman and Will Tucker were present, as well as, Ralph Wyatt, Linn County Administrative Officer and Heather Gravelle, Recorder for the Board of Commissioners.

19. Approval of the December 2, 2014 Commissioner's Meeting Minutes.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the December 2, 2014 Commissioner's Meeting Minutes. The vote was called. The motion passed unanimously.

20. Business from Public (2 minute limit per speaker):

Lauren King, Leahy, Van Vactor, Cox and Melendy LLP, stated that she would like to apologize for the typos in the recent letter she submitted to the Board regarding the Outdoor Assembly Code. Next, she thanked the Board and Staff for their time working on the Outdoor Assembly Code revisions. She stated that they still had concerns with the code section regarding the definition of total event time, as it had definitions for total event time with and without the attendees present.

Ms. King explained that she recommended deleting the definition entirely or amending it to specifically not include the set up and take down time. Discussion followed. Ms. King then thanked the Board and Staff in the Planning & Building Department and Environmental Health Department for working with them and the Willamette Country Music Festival Staff to assist in streamlining the permit process.

21. Road Department – Darrin Lane, Linn County Roadmaster.

Mr. Lane explained that there had been some deterioration in some of the major components of the trusses and a section of the top cord of the Larwood Covered Bridge, which resulted in a significant delay in the opening. He then briefly explained the process of making the necessary fixes and added that they had now been completed. He added that they were waiting for the Oregon Department of Transportation's (ODOT) final approval to increase the Federal Fund allocation to cover the costs, minus the Road Department's match.

Commissioner Tucker asked Mr. Lane for a specific time frame of the opening. Mr. Lane responded that hopefully, by Friday, December 19, 2014. Commissioner Tucker added the Road Department website would need to be updated. Mr. Lane agreed and stated that they would update the website reflecting the latest information.

A. Resolution & Order 2014-286 approving a Contract Amendment (Change Order No. 2) for the Larwood Covered Bridge Preservation #12876 Project between Legacy Contracting, Inc. and Linn County.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2014-286. The vote was called. The motion passed unanimously.

Commissioner Nyquist asked for an update on the Hasso Herring Bike-Way. Mr. Lane responded that they had been working on the first mile and decided to expand it to 3.2 miles; and the path would now include Oakville Road to Meadow Road. He added that the bad news was, that, based on wetlands, archeological and right-of-way considerations, it would need to be a contracted construction project and several permits would be necessary. Discussion followed. Commissioner Nyquist requested that Mr. Lane communicate the latest news with Mr. Herring. Mr. Lane responded that he would.

22. Second Reading of Ordinance 2014-331 in the matter of Amending the Linn County Outdoor Assembly Code, Codified at Linn County Code 580 (Continued from Wednesday, November 12, 2014.)

A. Ordinance 2014-331 approving an Ordinance Amendment to the Linn County Outdoor Assembly Code, Codified at Linn County Code Chapter No. 580.

Eugene Karandy, County Attorney for Linn County, explained the process of the Outdoor Assembly Code adoption and stated that changes would need to be read into the record of each section that was revised. He then referred to a summary of the sections of the code that had been revised thus far from input received from interested parties and Staff recommendations. The summary is on file in the Clerk's Office in the Commissioners Staff File.

Next, the Board and Staff went through each page of the draft Outdoor Assembly Code, asking for clarification as necessary and noting the sections that they recommended for revisions. After extensive discussion and review, Commissioner Nyquist suggested continuing the Second Reading to Tuesday, December 30, 2014 at 10:00 a.m. Mr. Karandy agreed and added that he would work with Staff to insure the next draft was ready for review and delivery within a week prior to the continuation. Brief Discussion followed.

23. Special Orders:

A. Resolution & Order 2014-404 adopting a Deferred Compensation Plan.

Action Taken Below.

B. Resolution & Order 2014-405 amending the Administrative Service Agreement between Linn County and Hartford Life Insurance Company.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Orders 2014-404 & 405. The vote was called. The motion passed unanimously.

C. Resolution & Order 2014-406 approving an Intergovernmental Agreement with Linn, Marion, Polk and Yamhill Counties establishing the Mid-Willamette Jobs Council (MWJC).

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2014-406. The vote was called. The motion passed unanimously.

D. Order 2014-407 adopting a County Exclusion Policy.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Order 2014-407. The vote was called. The motion passed unanimously.

Action – Commissioner Tucker moved and Commissioner Nyquist concurred to approve Resolution & Order 2014-419. The motion was approved.

Commissioner Tucker asked Mr. Williams what the interest had been regarding the properties set for auction. Mr. Williams stated that he has received telephone calls but most are interested in the commercial property. He stated that he is evaluating the process in which notification is getting out to the public and one possibility may be to have an open house. Commissioner Nyquist stated that there could be problems with that, however, the main goal is to get the properties off the County's books.

Commissioner Nyquist recessed the regular Board meeting at 9:40 a.m.

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

11. Second Reading of Ordinance of 2014-331 in the matter of Amending the Linn County Outdoor Assembly Code, Codified at Linn County Code 580 (Continued from Wednesday, December 10, 2014).

Commissioner Nyquist called upon Gene Karandy, County Attorney for Linn County.

Mr. Karandy stated that, based on the direction and the verbiage the Board had requested be made to the Ordinance during the meeting held on Tuesday, December 23, 2014, he had made those changes to the Ordinance making copies available to the public and to the Board for their review. He stated that Commissioner Nyquist had provided language for two new sections of the Ordinance found at 580.305 and 580.225. Mr. Karandy informed the Board that the document was ready for adoption and to be read into the record.

Commissioner Nyquist called upon Commissioner Tucker. Commissioner Tucker stated that the Board had received a letter from Willamette Country Music Festival (WCMF) requesting that a sentence be added for clarification regarding the total event time. He stated that he would like to add the one sentence for clarification as it seemed to be a reasonable request. The sentence reads: "The total event time does not include the time during which set up, take down and clean up of an event occurs" Other than that, Commissioner Tucker stated that he would be ready to go ahead with the adoption.

Commissioner Nyquist asked Mr. Karandy how much time he would need to amend the document to add the one sentence and Mr. Karandy replied that a 15 minute recess would be sufficient.

Commissioner Nyquist added that this had been quite an unprecedented level of people giving input with changes being made at the request of WCMF.

Mr. Karandy asked the Board if they would prefer to have him read the changes into the record now and then recess afterwards to make the changes to the document.

Commissioner Nyquist recessed the regular Board meeting at 10:07 a.m.

Commissioner Nyquist reconvened the regular Board meeting at 10:12 a.m.

Commissioner Nyquist requested that Mr. Karandy begin to read into the record the changes made from the original code. Mr. Karandy stated that, procedurally, he would read each section with the final language. The reading began at 10:12 a.m. and concluded at 11:11 a.m.

Commissioner Nyquist recessed the regular Board meeting at 11:12 a.m. to allow Mr. Karandy sufficient time to prepare the exhibits for adoption.

Commissioner Nyquist reconvened the regular Board meeting at 11:30 a.m.

Commissioner Nyquist called upon Mr. Karandy to begin the Second Reading of Ordinance 2014-331. Mr. Karandy, having made the proposed amendments from the First Reading and having read those changes into the record, began reading the Second Reading amending the code title.

Commissioner Tucker thanked Mr. Karandy, Mr. Wheeldon and staff for all the man-hours and trees that were put into this effort. Commissioner Nyquist also thanked all the participants. He stated that there was no clear path given the conflicts between the Outdoor Assembly statutes and State law, however, he felt that the County has a better product now.

A. Ordinance 2014-331 approving an Ordinance Amendment to the Linn County Outdoor Assembly Code, Codified at Linn County Code Chapter No. 580.

Action – Commissioner Tucker moved and Commissioner Nyquist concurred to approve Ordinance 2014-331. The vote was called. The motion passed 2-0.

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

Commissioner Nyquist indicated that the 2015 permit stated that there could be 3,000 camp sites, however after reviewing the aerial photos, it appears there were more like 3,712. This is a matter that needs to be discussed with the organizers. Commissioner Nyquist stated that using the organizers multiplier (x4) there would have been 13,000 campers. To clarify, Commissioner Nyquist asked Mr. Karandy that the 2015 event was under the old code and not the new code which allows unlimited camping. Mr. Karandy concurred and stated that the Board could choose to change the application or enforce the code and issue a citation. Discussion continued.

By consensus, the Board agreed to meet with the WCMF organizers on Tuesday, September 29, 2015 to discuss and debrief the 2015 WCMF event. The Board will convene the regular Board meeting at 9:30 a.m. that day and then adjourn to meet with the organizers in the Courthouse Basement Meeting Room for an informal work session.

11. Public Hearing – First Reading of an Ordinance Amending the Linn County Forest-Park System Code, Codified at Linn County Code 610.

Mr. Karandy stated that this matter was advertised and then read the First Reading by title only. He stated that a Second Reading was scheduled for Wednesday, September 23, 2015 at 10:00 a.m.

Mr. Karandy noted that the amendments are to correct areas that were missed previously. The amendments were made to clarify the language in regard to campsite checkout times and that traffic signs need to be obeyed.

Commissioner Tucker stated that there is no emergency adoption and that he was happy with the language to clarify these matters.

Commissioner Nyquist left the meeting room.

Commissioner Lindsey opened the Public Hearing at 10:35 a.m.

Commissioner Lindsey stated, for the record, that there was no one signed up on the sign-in sheet wishing to speak. He asked Mr. Carroll if he had anything to add and he replied that he did not.

Commissioner Lindsey closed the Public Hearing at 10:36 a.m.

Commissioner Nyquist returned to the meeting room.

17, 18. At 9:07 a.m. Vice-Chairman Lindsey called the meeting to order and roll call followed. Commissioner John Lindsey, Vice-Chairman was present and Commissioner Roger Nyquist, Chairman was present via telephone conferencing. Also present were Ralph Wyatt, Linn County Administrative Officer and Marsha Meyer, Recorder for the Board of Commissioners. Commissioner Tucker was absent to attend the Northwest Regional Advisory Council meeting in Salem.

19. Approval of the October 13 and 14, 2015 Commissioners' Meeting Minutes.

Action – Commissioner Nyquist moved and Commissioner Lindsey seconded the motion to approve the October 13 and 14, 2015 Commissioners' Meeting Minutes. The vote was called. The motion passed unanimously.

20. Business from Public (2 minute limit per speaker): There was no one present from the public wishing to use this forum.

21. Board of Health – Frank Moore, Linn County Health Administrator.

A. Communicable Disease and Vital Statistics Reports – Dr. William Muth, Linn County Health Officer.

Dr. Muth reviewed the Communicable Disease and Vital Statistics Reports with the Board for the month of September, 2015. A copy of his reports is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

B. Environmental Health Monthly Activity Update – Rick Partipilo, Linn County Environmental Health Manager.

Mr. Partipilo provided the Board with an update for the month of September, 2015. A copy of his report is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

He stated that September, 2015 was business as usual and that his department was on target to meet projected budgeted revenues.

Commissioner Nyquist asked if the Willamette Country Music Festival organizers had been in to change their permit since the debriefing session. Mr. Partipilo stated that they had not but that he had sent them an email reminding them that they have a 90-day window in which to do so. Commissioner Nyquist asked if they understood that 17,000 campers

was not an acceptable number when there should've only had 3,000. Mr. Partipilo replied that they were aware.

C. Resolution & Order 2015-359 approving a Grant Award Agreement for Criminal Justice Commission Specialty Courts Grant Program between the State of Oregon Criminal Justice Commission and Linn County and delegating authority to execute originals.

Action – Commissioner Nyquist moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2015-359. The vote was called. The motion passed unanimously.

Commissioner Nyquist arrived at the meeting.

D. Resolution & Order 2015-360 approving an Agreement with MODA Health Plan, Inc. to provide services for Linn County Public Health and delegating authority to execute originals.

Frank Moore, Linn County Health Administrator, reviewed this contract with the Board. He stated that it had been a long process getting this contract finalized and that Rick Rebel, Employee Benefits Consultant, AKT Benefit Advisors, LP and the Linn County Public Health Department deserved a lot of the credit.

Action – Commissioner Nyquist moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2015-360. The vote was called. The motion passed unanimously.

E. Health Transformation Quarterly Update.

Mr. Moore provided with Board with a Health Transformation Quarterly Update.

Mr. Moore stated that in his most recent conversations with the CCO the State did a less than stellar job in setting rates for CCO's in 2015. The centers for Medicaid and Medicare services oversight said the State needed to go back and look over the figures which significantly impacted CCO's across the State. It varied based on the number of members and original rates that were set individually between the Oregon Health Authority and CCO's. The State also communicated with the CCO's that the claw back would not go back further than July 1, 2015 but, at the end of the conversation, the claw back would go back to January 1, 2015. For the Intercommunity Health Network (IHN) it was an eight to

23. Special Orders: There were no special orders to come before the Board.

24. Unfinished Business: Commissioner Nyquist reiterated with Mr. Partipilo that the Willamette Country Music Festival organizers permit matters and, if they want to operate as they did last year, they need to put in a request to change their permit. Mr. Partipilo agreed and stated that he has communicated that clearly to them both verbally and in writing.

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

26. Announcements: There were no announcements.

27. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 10:11 a.m. by unanimous consent.

The next regular public meeting of the Board of Commissioners is scheduled for Tuesday and Wednesday, October 27 and 28, 2015.

Marsha Meyer, Recorder
For Board of Commissioners
Marsha Meyer

LINN COUNTY BOARD OF COMMISSIONERS

Roger Nyquist
Roger Nyquist, Chairman

John K. Lindsey
John K. Lindsey, Commissioner

William C. Tucker
William C. Tucker, Commissioner

Date 10-28-2015

shorthanded but that his office did get back to the caller regarding his permits. Commissioner Nyquist stated that the County was in the customer service business.

Commissioner Nyquist then asked Mr. Partipilo about when the Board could expect to see the application from the Willamette Country Music Festival (WCMF) organizers. Mr. Partipilo stated that the organizers wanted to finish their plan and that the timing of the hearing was open-ended unless requested by the Board; we have 90-days as determined by the County Attorney. Mr. Partipilo stated that his staff intends to move ahead shortly and would expect the application sometime in March, 2016. Commissioner Nyquist stated that the Board has been through this process before where the Board gets the application late and the WCMF has already sold tickets and overshot the mark on what was approved; basically, it is defacto because they had already sold tickets and he is not comfortable with that timeline. Mr. Partipilo stated that he would contact the organizers this week to get something scheduled before the Board. He stated that the application was mainly to correct a misinterpretation, on the organizers part, regarding the camping levels and they want to change the application to reflect those numbers.

C. Resolution & Order 2016-028 approving an Agreement between Protocall Services, Inc. and Linn County and delegating authority to execute originals.

Mr. Moore provided background information regarding both Resolution 2016-028 and Resolution & Order 2016-029.

Action Taken Below.

D. Resolution & Order 2016-029 approving an Amendment No. 1 to an Agreement between Protocall Services, Inc. and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved to approve Resolution & Order 2016-028 and 029. The vote was called. The motion passed.

E. Resolution & Order 2016-030 approving an Amendment No. 3 to an Intergovernmental Agreement for the Financing of Public Health Services (Contract No. 148020) between the State of Oregon Health Authority and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved to approve Resolution & Order 2016-030. The vote was called. The motion passed.

Commissioner Nyquist clarified that this change was based upon what the Board suspected would be a long-term need based on 100,000 trips a day through the I-5 corridor, as well as, 25,000 people within a few miles down the road, on an annual basis, for a musical festival.

The motion passed unanimously.

Commissioner Nyquist recessed the regular Board meeting at 10:39 a.m.

Commissioner Nyquist reconvened the regular Board meeting at 11:00 a.m.

18. Public Hearing – Amendment to the Willamette Country Music Festival's Outdoor Assembly (WCMF) Permit for 2016 (Linn County Code Chapter 580; Outdoor Assembly Code) – Rick Partipilo, Linn County Environmental Health Program Manager.

Commissioner Nyquist called upon Mr. Partipilo to review the application with the Board and to provide background information in regard to this matter.

Mr. Partipilo distributed an updated packet including a list of the documents. He stated that the modifications to the 2016 permit were first discussed at the debriefing of the 2015 event with reviewing officials. Primarily, the modifications would allow overnight camping that has been on adjacent properties (and will still be hosted on adjacent properties) to be brought under the purview of Bi-Mart Willamette Country Music Festival.

It would not result in an overall increase in total overnight camping but it would increase the permit number for the festival from 3,000 to 14,000. It will also fully integrate adjacent camping into Bi-Mart Willamette Country Music Festival's sanitation, security, public safety and emergency response plans. He stated that there was one new set of documents added to the packet and he would go over it with the Board if they requested him to do so.

Commissioner Nyquist asked if the Board had any questions regarding this matter. Commissioner Tucker asked which document was added to the packet and Mr. Partipilo stated that it was a Statement of Financial Interest (four pages). The Board has seen the rest of the packet.

Commissioner Nyquist asked about the Statement of Financial Interest and explained to the Applicants that his questions were not aimed specifically at them but was a larger issue regarding the Board's need to know who it is that is doing business in Linn County. He stated that he had no reason to suspect that WCMF was not 100 percent above

board and had no concerns in that regard. To the larger issue of what is in the packet and what was intended when the Code was passed was that the Board would know who was doing business in Linn County and who we are giving outdoor assembly permits to. He stated that what was presented to them was is, in essence, a number of LLC's but it doesn't tell them who controls the LCC's and who is individually profiting from this event and whether or not there should be any reason for concern. Commissioner Nyquist stated that, today, he was willing to support this permit but did not want it to be, in anyway, precedent setting in the way of how the Board does business going forward for any application.

Mr. Partipilo stated that there was not enough guidance in the Code as it was written. Commissioner Nyquist disagreed; as he said the Code was modeled after a couple of State statutes and was modified at the request of this Applicant. The part about corporate officers was taken out of the Code because a corporate officer does not necessarily have financial interest.

Commissioner Tucker stated that, in regard to the Applicant's Statement of Financial Interest, he didn't know anything about WME Holdings located on Whilshire Blvd in Beverly Hill. It was not what he hoped the Board would receive but it was better then what WCMF had provided in the past. Commissioner Tucker stated that had confidence with WCMF's track record and, therefore, was happy to move forward with the application.

Commissioner Nyquist stated that he saw a daily attendance number of 14,000 and asked if that was the daily number at the concert. Mr. Partipilo stated that it was the daily number of overnight campers and a clarification had been made that this number included volunteers. Commissioner Nyquist stated that he was associating the word "approximate" with the 14,000 and asked if it was a hard number or if it was an approximate number. Karama Billick responded that the word "approximate" meant that they don't have a solid number to know how many volunteers there are and the other encompassing camping areas. She stated that, if they have more volunteers and campers, the number could be 14,100. Commissioner Nyquist suggested that the word "approximate" be removed and instead use the words "up to" and say up to 15,000. Ms. Billick agreed. He stated that the word "approximate" was a moving target and there could be a misunderstanding later.

Commissioner Nyquist stated that there was not an agreement in regard to the 10 percent overage and asked if that was included in the attendance number or if it meant they could exceed the attendance by 10 percent. Mr. Partipilo stated that his understanding of the code was that the Applicant was allowed to exceed the attendance number by up to 10 percent. If that happens, the Applicant has to notify Mr. Partipilo

and make provisions to accommodate the extra attendance with all the facilities and services that would normally be required. Commissioner Lindsey stated that he thought that was how the Board arrived at the 14,000 number which included the 10 percent.

Commissioner Nyquist stated that his concern was when they set a number and asked the Sheriff's Office if they were comfortable with that specific number and they agreed but then that number is exceeded by 10 percent that there is no conversation with the Sheriff's Office. Commissioner Nyquist stated that, for today, he was fine with the application and what they have been doing; however, going forward the Board needs to keep this in mind and ask the public safety folks.

Commissioner Tucker stated that what he saw missing from the application were letters from the five tax lot owners giving authorization to be included in the sanitation, security, public safety and emergency response plans. He stated that the Sheriff would need to know that the land owners had given their authorization to be able to enforce those rules. Commissioner Tucker stated that, if the Application has that authorization, they needed to be sure to get it to the Sheriff's Office. Ms. Billick stated that they have it and would get that information to the Sheriff.

Commissioner Nyquist asked if there was a motion to approve the 2016 permit. Mr. Partipilo stated that he had an instruction from the County Attorney, in regard to procedure, that when the hearing is closed that the meeting be continued to a date certain in the future and suggested the date of Wednesday, April 20, 2016 for the Staff to bring the Resolution & Order for the Board's approval to issue the 2016 permit with the amendments.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to close the Public Hearing. The vote was called. The motion passed unanimously.

Commissioner Nyquist asked why they couldn't proceed as they do with other matters that come before the Board and approve the amended application and then the Staff would follow with a Resolution & Order. Gene Karandy, County Attorney for Linn County, stated that his office's recommendation was that a hearing resulting in a decision would have a date certain for the decision so Staff knows when they have to have the paperwork done by and also the Applicant is clear of the decision date.

Commissioner Tucker stated that they needed to accept the documents into the record and that before him was a list, by Rick Partipilo, of documents dated March 30, 2016 for the hearing for the proposed permit amendments.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to accept, into the record, the document dated March 30, 2016 for the hearing for the proposed permit amendments. The vote was called. The motion passed unanimously.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the amendments to the Willamette Country Music Festival's 2016 Permit, with a date certain of Wednesday, April 20, 2016 for the Resolution & Order to be prepared by Staff and to amended the language to remove the word "approximate" and change to "up to" 15,000. The vote was called. The motion passed unanimously.

19. Special Orders:

A. Proclamation – April, 2016 "Child Abuse Prevention and Awareness Month".

Commissioner Tucker called upon Renee Smith, Executive Director; she thanked the Board for their willingness to sign a Proclamation declaring April, 2016 as "Child Abuse Prevention and Awareness Month". She gave some background regarding the Linn County Child Abuse Network (CAN) which is aligned with United Way and the ABC House.

Ms. Smith provided the Board with handouts, which are on file in the Linn County Clerk's Office in the Commissioners' Staff File, and pin-wheels to be displayed on the Courthouse lawn or in other areas.

Commissioner Tucker read the Proclamation into the record and thanked Ms. Smith for all the amazing things she does; he appreciates the role she plays in the efforts against child abuse.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve the Proclamation. The vote was called. The motion passed unanimously.

20. Unfinished Business: There was no unfinished business to come before the Board.

21. New Business: Commissioner Tucker informed the Board that they have been asked to serve ice cream on Thursday, July 14, 2016, to seniors during the 2016 Linn County Fair. They should arrive at 1:30 p.m. and would begin serving at 2:00 p.m.

Commissioner Tucker then stated that National Association of Counties (NACO) had sent a letter regarding Secure Rural Schools (SRS) and he asked the Board, if they would agree, he would prepare a draft letter of support for SRS which would be mailed to the U.S. Senate. The Board agreed.

B. Willamette Country Music Festival (WCMF) request for a waiver of the 2016 Application.

Commissioner Nyquist stated that about a week ago the Board approved amendments to the WCMF's 2016 Application and doing so pointed out that the package for the amendment didn't necessarily meet the Board's intent in the way of disclosures of financial interest. WCMF has a five-year application that they have submitted to Rick Partipilo, Linn County Environmental Health Program Manager. In being more specific about the intent regarding the financial interest statement, it triggered a hard timeline for Mr. Partipilo disclosing to WCMF that their application was not complete. WCMF, on Friday, April 8, 2016, asked for a waiver of the timeline. Commissioner Nyquist stated that he did not have a problem approving the waiver as long as all the agencies that need to comment on the application would still get their opportunity to comment. If the Board agreed, he would tell Mr. Partipilo to work on a modified timeline that allowed for the necessary comment period from the Sheriff's Office; Fire and Ambulance Services and ODOT and get this matter before the Board once those comments were received; Commissioner Nyquist stated not to make it a hard and fast timeline. The Board agreed.

In regard to the underlying issue of financial disclosure interest, Commissioner Nyquist stated that he believed that WCMF have responded and he would take the guidance that is adequate from the County Attorney based on the County's intent. He doubted that there would be a problem based on what has been described to him so far; however, he holds judgment until he sees those documents and they have been reviewed by the County Attorney.

C. Commissioner Nyquist stated that Allied Waste has asked for a Solid Waste Advisory Committee meeting. It is a balancing act with prices that sanitation companies are charging. Discussion followed. Commissioner Tucker stated that he had talked with Mr. Partipilo and Frank Moore, Linn County Health Administrator and they are working on this matter.

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

14. Announcement: Commissioner Tucker stated that both he and Commissioner Lindsey would be attending the Biz Expo in Lebanon today, Tuesday, April 12, 2016.

15. Adjournment: There being no other business to come before the Board; by unanimous consent, the Board of Commissioners meeting was adjourned at 10:14 a.m. to the Wednesday, April 13, 2016.

Mr. Lynn explained that Marion County was buying detention beds from Linn County in order to handle the 18 Measure 11 youth they have and they would be paying \$150/day. Commissioner Lindsey asked if Marion County had ever done this before and Mr. Lynn stated, no, they had not. Mr. Lynn stated youth are now being held at detention centers as it is a better environment for them than being held at the jail. Commissioner Nyquist asked if it had increased the County's cost and Mr. Lynn replied no but that he was looking at the cost and Commissioner Nyquist encouraged him to look at all the cost in relation to this. Mr. Lynn stated that there may be opportunities for the State to pay for housing the youth at the detention center.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2016-015. The vote was called. The motion passed unanimously.

Commissioner Lindsey stated that he had heard from two different constituents that they noticed an increase in Juvenile arrests within the City of Albany due to “mob thieves” and that they’ve heard they have been stealing at the mall. Commissioner Lindsey also stated that he even talked to a business owner who agreed. He asked Mr. Lynn if he had heard of this and Mr. Lynn stated that there have been more referrals than last year but he did not remember receiving any referrals in regard to that type of activity.

9. Public Hearing – An Application submitted by Bi-Mart Willamette Country Music Festival for an Outdoor Assembly Permit (Linn County Code Chapter 580; Outdoor Assembly Code) to conduct annual outdoor music festival events for 2017 through 2021 – Rick Partipilo, Linn County Environmental Health Program Manager.

Commissioner Nyquist called upon Mr. Partipilo to provide background information regarding this application.

Mr. Partipilo handed the Board a supplemental packet to be added to the written record, which contained a list of documents for the record, and noted that there was no new information added to the packet. He then reviewed the application with the Board.

Mr. Partipilo stated that the Bi-Mart Willamette Country Music Concerts (WCMF) had applied for a five-year permit to conduct annual country music events with the daily attendance for 2017 to be 23,500 and nightly attendance to be 14,000. He stated that under Linn County Code 580, as amended, this is a Level 2 Assembly. The Board may grant a permit for up to five-years and, with a multi-year permit, there is a requirement for an annual review after each event. Mr. Partipilo stated that the packet was distributed to reviewing officials on April 15, 2016 and, other than attendance as proposed similar to

the permitted 2015 and 2016 events, there was one change to contracted EMT services to assist local fire onsite with emergency/medical procedures. A few of the reviewing officials submitted comments and recommendations. He stated that an increase in attendance would have an annual review and Public Hearing since it is a changed permit.

Commissioner Nyquist told Mr. Partipilo that he did not understand how the new attendance count was going to work. He asked who made the comment about attendance and Mr. Partipilo replied that it came from the County Attorney for Linn County, Eugene Karandy. Mr. Partipilo then stated that the proposal was for 23,500 daily attendance and, if WCMF wanted to increase that number in future years, there would need to be an amendment to the permit which is made at a Public Hearing. Commissioner Nyquist asked what the attendance was set for the current permit. Mr. Partipilo stated that it was 21,500 for the 2016 permit and WCMF was proposing 23,500 for the 2017 event. Commissioner Nyquist asked if the plus/minus ten percent had been eliminated. Mr. Partipilo stated that it would be eliminated in the permit language; the application before the Board was written before that change in language had been discussed but it would be included in the permit for these events. Commissioner Nyquist then asked Mr. Partipilo if he had received any adverse comments from the Public Safety Committee regarding moving the attendance to 23,500 and Mr. Partipilo stated that he did not and that they had all reviewed the packet and the Sheriff was comfortable with the 23,500 attendance number but emphasized the value of annual reviews given it is a multi-year permit; the Brownsville Fire Chief also agreed.

Commissioner Nyquist stated that the process was to create certainty for everybody. He stated that his idea of an annual review was to confirm that WCMF did or didn't do what was in their permit and check that box and move forward based on that. Commissioner Nyquist stated that the constant fear of the unknown for them and lack of uncertainty for us at the time the rules were written was one of the things he wanted to get away from. He stated that if the plus/minus language was removed then 23,500 isn't anymore than what they have today. Mr. Partipilo stated that the plus/minus still applies to a higher based 23,500. Commissioner Nyquist stated that there was some question in his mind, when the permit is for five-years, that they currently have a year and this permit would place it at six years out; Mr. Partipilo concurred. Commissioner Nyquist stated that he did not think that was what the Board had intended and/or whether or not it was in line with the County Code. Mr. Partipilo stated that he would defer that question to the County Attorney who he said raised the same question.

Mr. Partipilo stated that the other difference to note was that this application preceded the discussion they had regarding the 2016 permit amendments. At that point, the number to not exceed for overnight was raised to 15,000 and this application still has the

number at 14,000; and, for that to be changed, it would be a matter for the record. Mr. Partipilo stated that some of the documentation, as in previous years, could not be processed or submitted until closer to the event such as the Oregon Liquor Control Commission (OLCC) license; Oregon Department of Transportation (ODOT) permits and Certificate of Insurance. He stated that there still needed to be trespassing agreements among property owners and the Sheriff's Office for the properties that will host the camping, as well as, federal water testing 30-days before the events.

Commissioner Nyquist then called upon Eugene Karandy, County Attorney for Linn County. He asked Mr. Karandy his knowledge about the Code as it related to the timeframe for this application since WCMF already had a year permit. Mr. Karandy stated that he didn't think the 2016 permit mattered and stated that, procedurally, the Code allowed, in LCC 580.105, was for the Board to approve a permit for a multiple-year event under the conditions that those year events would be the same. He stated that the five-year clock starts running for a period not to exceed five-years from the date the permit is approved by the Board so, therefore, if the first event of the five-years was 2017, you would count out from the date the Board executes the final Resolution & Order. If the Board executed a Resolution & Order today, Wednesday, May 4, 2016, it would cut off the last year event of 2021. This is a matter for everyone to take into consideration.

Mr. Karandy stated, in reference to the attendance number changing over the years, the multiple-year event permit was, procedurally, set up so the Board could approve a permit with the terms that the Applicant must meet each year for each event. It also allows, with the annual review, the County or the Applicant to seek an amendment of the permit if there is an issue that needs to be addressed. Mr. Karandy stated that, once the 23,500 attendance number was set, it would stay the same unless the permit was modified in the future.

Commissioner Nyquist opened the Public Hearing.

Commissioner Nyquist called upon the Applicant.

Anne Hankins, President, Willamette Country Music Concerts, P.O. Box 23638, Eugene, OR 97402 – Applicant.

Ms. Hankins addressed Commissioner Nyquist's questions about the attendance number. She stated that WCMF was capping the event attendance and was asking for an increase, through the five-year permit, up to 25,000 and capping the event at that number. For 2017, the attendance would be increased to 23,500 and continue through the five-year permit to be capped at 25,000. This is a level that the Sheriff, Roadmaster, as well as

the attendance number would be 23,500 and then the attendance would be for 2018 would be 25,000. Commissioner Tucker stated the he had asked Sheriff Riley if he was comfortable with the attendance of 25,000 and he said he would like to see that number capped for attendance. Ms. Hankins agreed and stated that it was WCMF's intention to cap attendance at 25,000.

Commissioner Nyquist stated that the 2017-2021 application was submitted prior to updating the 2016 permit and, instead of the 14,000 plus/minus attendance number, it should be a hard number of 15,000. He asked if that was what the Applicant intended to do with this application and Ms. Hankins agreed that they would submit an amendment to the application. Commissioner Nyquist said okay and/or the number could be amended now before the application was approved and Ms. Hankins concurred.

Commissioner Tucker stated that he appreciated the changes the Applicant had made with adding John Bishop and thought he would do a great job of running the "table top" discussions and possible emergency scenarios. Commissioner Tucker also appreciated WCMF working with Samaritan to help kick-start the Urgent Care.

Commissioner Nyquist congratulated the Applicant for putting together what is now a long-standing and financially successful event. He stated, because he represents all the citizens of Linn County, he has to be concerned about the adverse impacts of the five-day period in regard to the surrounding areas. He stated that using Hwy 228 and Hwy 34 has been helpful in regard to traffic but he still had concerns about the potential adverse impacts to agri-business in the area and, particularly, the farm to the west of the festival. Commissioner Nyquist stated that they believed the Applicant would not be opposed to including a condition that they continue to make good-faith efforts to mitigate the adverse impacts to the agri-business in that area. Ms. Hankins stated that they have reached out to the neighbors and has a conversation with the particular property owner. She stated that signage had been created for the property owner and that the main production entrance had been moved to a different entrance so it was not confused with their property. Ms. Hankins stated that through a third-party, Scott McDowell, City Administrator, City of Brownsville, he was willing to sit down and have a conversation with that property owner to address any concerns they may have and, of course, would not be opposed to that condition being included.

Commissioner Nyquist called upon those members signed up on the sign-in sheet in support of the Application.

Don Leber, Vice-President of Marketing & Advertising, Bi-Mart Corp., 220 S. Seneca, Eugene, OR 97402 - Supporter.

Mr. Leber gave an overview of the festival's marketing and advertising strategies as they go into their ninth year. He stated that they have learned how to be able to promote the event over 52 weeks and what it has meant to Linn County; this area does not have a lot of money for tourism. He stated he's also learned how to join together with Linn County and the adjoining Cities, as well as, cities all over Oregon, Washington, Idaho and Northern California to promote this event. He continued with his overview.

Commissioner Tucker added his thanks for the donations that Bi-Mart Corp. and the festival have made. He stated that the Sweet Home Cheer Squad and the Lebanon buses now involved and there is money flowing to other organizations other than just Central Linn and the City of Brownsville.

Mr. Leber stated that, without the communities, they would not be as successful and they also reach out to United Way and other organizations.

Tim Flowerday, WCMF, Operations Director, PO Box 23638, Eugene, OR 97402 - Supporter.

Mr. Flowerday stated that this event was unique; it still has the attitude every year to try to improve and he believes that is reflected in the fact that they sit and internalize how they can become better. He stated that the change made to the venue allows it to be deeper so that it can be made safer for the general admission public and allow more space for security and the Sheriff to be able to see what is going on inside the venue. As an operations person, Mr. Flowerday stated that he was excited about this event and its future. He was starting to see things' coming together that is really making it an experience for the public and community and not just another event.

Joe Leahy, 188 West B St, Bldg N, Springfield, OR 97477 - Supporter.

Mr. Leahy stated that he appreciated the opportunity to speak but had nothing to say at the time.

Suzanne Durham, 37288 Sunset Lane, Brownsville, OR 97327 - Supporter.

Mrs. Durham stated that she was a neighbor that lived on the exit route of the event and has heavy traffic. She stated that she was impressed, from the beginning, with the festival's personnel. They come and talk with her and her husband and ask how the event

has affected them. Their staff is very effective in keeping people from coming down the road without be flagged. She stated that she was in awe how the festival and the City grow during the festival time.

Kevin Durham, 37288 Sunset Lane, Brownsville, OR 97327 – Supporter.

Mr. Durham stated that, like his wife Suzanne, they have been there since the festival has been in Brownsville and they are the heaviest impacted by the traffic, however, over the years, the traffic at night disperses more evenly and the festival has done a wonderful job with managing the traffic. They continue to look forward to the next year.

Scott McDowell, City Administrator, City of Brownsville, OR 97327 – Supporter.

Mr. McDowell thanked the Board for the opportunity to speak. He stated that Mayor Don Ware, City of Brownsville, had asked Mr. McDowell to extend his appreciation to the Commissioners and Staff for their phenomenal follow-up and work with the festival. He included Darrin Lane, Linn County Roadmaster; Chuck Knoll, Linn County Engineer and Sheriff Bruce Riley. He was also asked to extend the public's support for the festival and to say that it has been a great and very positive experience for the City's civic organizations and for the Brownsville community.

Commissioner Nyquist asked if there was anyone else wishing to speak in Support. There was no one wishing to speak.

Commissioner Nyquist asked if there was anyone wishing to speak in opposition or as a neutral party. There being no one wishing to speak Commissioner Nyquist stated that there would be no requirement for a rebuttal from the Applicant.

Commissioner Nyquist asked if it pleased the Board he would close the Public Hearing. The Board agreed.

Commissioner Tucker stated that the Board needed to disclose any ex parte communication or conflict of interest. Commissioner Tucker stated that he did not have any financial interest in regard to this matter but did disclose that he buys a general admission ticket to the festival and only then does he go into the venue. Every year he does go to observe the set-up and works at the Sheriff's sub-station. He has no financial gain or relationship at all with the event. Commissioner Lindsey stated that he does not attend the event. Commissioner Nyquist stated that he, as well, does not have any financial interest in this matter.

Commissioner Tucker then stated that the Board needed to enter into the record the materials and documents.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to allow the list of documents provided by Rick Partipilo, Linn County Environmental Health Program Manager, be labeled by the Recorder instead of reading each item individual and accept that list into the record. The vote was called. The motion passed unanimously. *The list of documents were marked as Exhibit 1 by the Recorder.*

Commissioner Tucker asked the County Attorney if the next steps would be to approve the application; ask Staff to draft findings and prepare the Resolution; then, hold the Resolution to make sure that there was no timing problem and that the Applicant understands that the application is approved but the County would only hold the formal Resolution until the timing was correct. Commissioner Nyquist interjected that Commissioner Tucker wanted to wait until next year to sign the Resolution.

Eugene Karandy, County Attorney for Linn County, stated that, if the Board wanted to approve the full five-year application, the application would be approved verbally today but would hold off the Board executing the final Resolution and Order until some time in August, 2016. Commissioner Tucker stated that that was what he was proposing. Mr. Karandy stated that he believed it would be allowable. He stated that the Applicant would then be okay to sell tickets, etc. with verbal approval. Mr. Karandy stated that another alternative for the Board would be to execute the Resolution & Order earlier than August, 2016 but it would only be from the window of five-years out from the date of approval and he did not know whether or not the applicant had a preference regarding that or not.

Lastly, Commissioner Tucker asked if the annual reviews regarding the change in the number of attendance and contract services of other entities would be allowed in the County Code and would be covered in a way that could be executed inside the range of this application. Mr. Karandy replied yes and stated that an annual review is required after each event. Mr. Karandy asked if the consensus of the County and the Applicant was that, after each review, and everything was fine, then nothing happens and future events are still authorized after they have the approved permits. If the County or the Applicant decide that changes need to be made, that is when it would go to a hearing to consider new evidence and address the issues such as attendance, fire and health and safety and the evidence to support those issues. This process is already in the Code.

Commissioner Nyquist stated that, previously, there was an issue raised on the amendment of the 2016 permit application regarding the disclosure of ownership. He indicated that he was comfortable with the information provided and thought the William Morris agency was a stand-up group who also operates IMG. Commissioner Nyquist stated that he has participated in some of IMG events and they are a solid industry and financial participant and he was comfortable with that ownership interest as the disclosure was presented.

Next, Commissioner Nyquist stated that it was his intent that the application could be five-years out and going beyond that would be beyond the limits of his intent. He also stated that he would like to approve something today and not wait until August, 2016 with the uncertainty between now and then. We, in essence, will be accomplishing taking what is statutory language that allows for a single temporary event and creating five-years of certainty for this successful event and he thinks that is enough.

Commissioner Nyquist stated that there needed to be a condition when there are not contracts in place when the application is approved for five-years. He gave an example of the property and stated that he assumed it isn't a five-year contract and that there are many partners that today the Applicant did not have a five-year contract with. He understood that some licensing agencies require the term to be locked down; however, he did not think that was necessary in this case, but a deadline or a date such as March 1st. The contracts and licenses that the Applicant has done could be submitted by that the March 1st date so we know the Applicant has access to the property and a contract with the Sheriff's Office, etc. He stated that there was no other way to do it. He then gave an example of an OLCC permit which is due on a five-day cycle so it cannot be applied for until 45 days before the event. Ms. Hankins asked Commissioner Nyquist to clarify if he was asking for them to do that for all five years. Commissioner Nyquist stated that it would be a year at a time; making the Applicant do five years in advance wouldn't be practical. He did say that both the Applicant and the County Staff need a date that those things would be expected in order to know what that deadline is and he recommended March 1st.

Commissioner Nyquist also wanted a condition that the Applicant would continue to make a good-faith effort to mitigate any adverse impacts to the agri-business in the area; specifically, the folks to the west of the festival, however, as the event grows and changes it may include anyone in that surrounding area.

Lastly, Commissioner Nyquist stated that, although it may not be an issue, the only other thing that makes him uncomfortable with a five-year permit was should there be some type of catastrophic event and the applicant or their representatives were negligent and

that the County has the ability to revisit the permit. Commissioner Nyquist stated that he was confident that there would not be a problem but asked that it be included in the permit.

Commissioner Tucker stated that the Board often times approves applications and ask Staff to work with the County Attorney to create a Resolution & Order which comes to us at some point; one week later or sometimes months later in order to allow time for the Staff and County Attorney to work on getting the findings correct. Commissioner Tucker stated that since you are adding the catastrophic clause, that needs to have some work done to craft the correct verbiage, it may support the idea of holding the execution of the Resolution & Order until a later date.

Mr. Karandy stated, in regard to the condition of a catastrophic event, under the current Code in 580.105, there already is a process under Subsection B that allows for revocation of a permit and allows the Board to make a determination of non-compliance with the permit and then within 60-days the Board would hold a hearing on determination. Therefore, there does not need to be a condition added. Commissioner Nyquist agreed.

Commissioner Tucker then asked Mr. Karandy if he had any thoughts regarding the March 1st date of having contracts for services that do not have a time set schedule would be complete. Mr. Karandy, with a couple of caveats, stated that the language "unless it is not practical" could be added. He stated that, under the multi-year permit language, there are some exceptions in Subsection 8.5 where it states the Applicant needs to give notice of the exact dates an event is going to be held 30-days before and the proof of insurance needs to be provided no later than 30-days before the event. That is two areas that specifically address a date. Mr. Karandy agreed that the Board could set a March 1st date.

Commissioner Tucker clarified that, on March 1st of the year of the event, all permits for services that are practical would be completed and executed. Ms. Hankins asked if there was going to be some verbiage that would be in the Applicants control since they don't get the Sheriff's contract until 30-days prior to an event. Mr. Karandy stated that he could work with the Applicant to craft the language and include the word "practical" and give the Applicant an opportunity to review a draft version of the Resolution & Order before going to the Board to execute. Commissioner Lindsey stated that he wants to be sure that there aren't any restrictions that grow into something bigger. He wants to see this approved so everyone can move on.

Commissioner Tucker stated that he was going to propose that County Staff work with the Applicant to create the Resolution & Order to be delivered to the Board sometime in the month of August, 2016. The Applicant has our approval today and will work with the

County Attorney to complete the final language. The Applicant would then have five years from the August, 2016 date. Commissioner Tucker stated that the Applicant knows that the Board, in good faith, would not make any changes between now and the August, 2016 date. He then asked the Board if they were ready to make a motion.

Mr. Karandy stated that, before a motion was made, he and the Staff want to be clear on the attendance numbers. The Board clarified the Applicant was asking for 23,500 for attendance in 2017 and then, every year thereafter, the attendance would be set at 25,000 without a ten percent plus/minus as mentioned in the Code. Commissioner Tucker stated that the language to be used in the Resolution & Order would state a hard and fast number capping the attendance at 25,000. Mr. Karandy asked for the Applicant to provide the County with something in writing stating that they agreed to the attendance number being capped at 25,000 since the Code allows for the flexibility of 10 percent plus/minus in the attendance number. He stated that the Resolution & Order cannot violate what is stated in the Code. The Applicant agreed that they would provide a written statement agreeing with the attendance being capped at 25,000.

Action – Commissioner Tucker moved to approve the Outdoor Assembly Permit for five years with the following issues to be worked out with the Staff and Applicant:

- 1. The Resolution & Order would be ready in August, 2016 to allow a full five-year permit;**
- 2. That the Applicant continues to make a good-faith effort with the farming community to mitigate any adverse impact on farming;**
- 3. That by the date of March 1st of the event year, all permits for services other than those scheduled for a shorter amount of time closer to the event; or, however practical, would be signed and closed; and,**
- 4. The Applicant and the County mutually agree that the attendance numbers set are actual amounts and not plus/minus ten percent.**

Commissioner Nyquist stated the Applicant has a great event; however, the Board was in disagreement on the timing of the approval of the Application. Discussion followed.

The motion died for lack of a second.

Discussion continued.

21. 2016 Willamette Country Music Festival post-event discussion.

Rick Partipilo, Linn County Environmental Health Program Manager, explained that he had sent a notice to all the reviewing officials for a post-event review of the Willamette Country Music Festival (WCMF) and had heard back from Scott McDowell, City of Brownsville, City Manager, who reported that he had received only one complaint about the traffic, otherwise everything seemed to go well and there were no concerns. He added that one of the neighbors, Sandy Sayer, was pleased with the directional signage that Anne Hankins, President, Willamette Country Music Concerts, had provided her. Discussion followed.

Sheriff Bruce Riley provided the Board with a PowerPoint overview of statistic comparisons from the 2015 event versus the 2016 event. The overview is on file in the Linn County Clerk's Office in the Commissioners' Staff File. Sheriff Riley stated that calls for service were down this year from 92 in 2015 to 89 and that this year there were several sex offense investigations. He explained that there was an uptake in alcohol related investigations regarding Minor in Possession (MIP) or furnishing alcohol to a minor and that the camping areas were the biggest problem; the concert venue was locked down and they didn't see as many issues there.

Next, Sheriff Riley shared that in 2015 they had several recommendations to the WCMF staff which included stricter enforcement of the no alcohol policy in the camping areas; better markings for VIP/Handicapped parking; cell tower for emergency phones; a tabletop evacuation plan prior to the next event and for the medical tent to stay open later, all of which staff complied with in 2016. Festival staff reported that they had evicted 49 camps and that 156 wristbands were cut from folks that were not complying with the rules. Sherriff Riley stated that his 2016 recommendations included to work with WCMF staff on a plan for better enforcement of unauthorized personal vehicles/ATV's; continue to work with security for stricter enforcement of MIP's and alcohol related violations and an increase of Sheriff's Office hours for the Thursday concert.

Commissioner Tucker noted that Ms. Green, who spoke under Business from the Public, had reported that security was not visible enough inside the venue and asked Sheriff Riley what he observed while he was at the event. Michelle Duncan, Patrol Division Lieutenant, Linn County Sheriff's Office, responded that she believed that what Ms. Green was referring to was outside the venue in the camping areas. She added that WCMF had changed their policy and required their security staff to wear identifying shirts that read "security" and compared to previous years they had improved on their professionalism, handling the public and taking care of problems without over taxing the Sheriff's Office resources. Discussion followed.

Commissioner Nyquist commented that the issue of minors and alcohol was challenging and complicated. He added that the increase of citations for MIP's they have seen this year could be attributed to the increase in enforcement of security; but wondered how much of that should they accept and how can they work to keep it from occurring again. Sheriff Riley responded that he understood and that his staff sees the negative impacts of alcohol in the community and that with a four-day event that has 25,000 people and a "party" mentality it, was concerning, especially with the youth. He added that this year the event had increased security staff, alcohol monitors and the Oregon Liquor Control Commission (OLCC) was at the event and issued several citations. Discussion followed.

Commissioner Tucker asked Sheriff Riley to add stricter enforcement of no alcohol in the campsite areas on their list of recommendations for the 2017 event and the Sheriff agreed. Commissioner Lindsey asked Sheriff Riley how he felt about the size of the event and the Sheriff responded that as far as his Staff, it taps them out and if the numbers of attendees were to grow he would need to contract out with different agencies to assist and he did not want to go down that road. Discussion followed.

Anne Hankins, President, Willamette Country Music Concerts, stated that they had made several changes this year which made things easier for security and the Sheriff's Office but that she understood that it was a work in progress and each year they learned what they can do better the next year. Next, she explained that the MIP's were a concern for them as well and they wanted to be proactive on the matter this year so they put out a Facebook post that warned about underage drinking and the consequences were they would be arrested and they put out an e-blast that conveyed what the rules were and that underage drinking would not be tolerated and security staff would be actively seeking them.

Next, Ms. Hankins shared that WCMF staff had kicked out 46 campsites and cut 156 bracelets from people who were not following the rules and they were blacklisted from attending the event again. In addition, they received a list of the MIP's that were issued and they were also blacklisted, which reflected their "no tolerance" policy for that behavior. Ms. Hankins stated that they also put a message on their Jumbo-Tron throughout the event that had a picture of a boot and the number of people who were "booted" because they didn't follow the rules. She added in the camping areas they do have issues to improve upon to host a better experience for people that are camping and cut down on the incidents that they had; they would continue to work hard to address those issues. Discussion followed.

Next, Ms. Hankins stated another concern they needed to address for next year was cruising; they have a no cruising policy and signs are posted but they need a better plan to cut down on it. She mentioned that some events won't allow you to move your car once it is parked and they may implement something similar. Ms. Hankins then shared that they did not plan on asking for an increase in attendance and would keep it capped at 25,000 and that their five-year permit had no growth request.

Commissioner Nyquist asked, strategically, what WCMF could do on the issue of minors drinking alcohol and that he would like to see them attempt to develop a plan or strategy to minimize the risk. Ms. Hankins agreed and stated that the young people tend to hang out in groups and that staff would identify the groups and they would go up to them and inquire how they were and if they saw alcohol and they looked underage they would call security or back up to pull ID's. She added that she would like to have extra staff next year to address the camping areas more, especially after the concerts were out; she wants to take an even stronger stance on the minors drinking. Discussion followed. The Board thanked Ms. Hankins for her report.

22. Special Orders: There were no special orders to come before the Board.

23. Unfinished Business and General Orders: There was no unfinished business and general orders to come before the Board.

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

25. Announcements: Commissioner Tucker announced that there would be a Management Staff Meeting today, Wednesday, September 7, 2016 at Noon in the Basement Meeting Room of the Courthouse.

26. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 10:55 a.m. by unanimous consent.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Orders 2017-156, 157, 158, 159, 160, 161 and 162. The vote was called. The motion passed by consensus.

9. Health Department – Rick Partipilo, Linn County Environmental Health Program Manager.

A. Resolution & Order 2017-245 approving amending and terminating an Intergovernmental Agreement for on-line food handlers' training and testing between Linn County and Lane County and delegating authority to execute originals.

Mr. Partipilo stated that the current agreement was being terminated with a new agreement that was necessary due to the decision to participate in a new software program for food inspections which is up and running very well. Commissioner Tucker stated that he had read Mr. Partipilo's summary regarding these matters.

Action Taken Below.

B. Resolution & Order 2017-246 approving an Intergovernmental Agreement for on-line food handlers' training and testing between Linn County and Lane County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve to continue the program with Lane County and ending and terminating the online testing agreements in Resolution & Order 2017-245 and executing a new agreement in Resolution & Order 2017- 246. The vote was called. The motion passed by consensus.

C. Resolution & Order 2017-261 approving an application and issuing a permit to conduct an outdoor assembly under Linn County Code, Chapter 580 for 2017, 2018, 2019, 2020 and 2021 (Bi-Mart Willamette Country Music Festival).

Mr. Partipilo stated that, as discussed with the Board during the Public Hearing on Wednesday, May 3, 2016, the current year would allow 23,500 persons to attend on a daily basis; next year and the subsequent four years the attendance would be raised to 25,000 as a cap on attendance. The organizers agreed to this in the Public Hearing.

Action – Commissioner Tucker moved and Commissioner Lindsey seconded the motion to approve Resolution & Order 2017-261. The vote was called. The motion passed by consensus.