



Board of Commissioners

Office: (541) 766-6800

Fax: (541) 766-6893

4500 SW Research Way

Corvallis, OR 97333

bentoncountyor.gov

**MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 6, 2026, 9:00 AM**

Present: Pat Malone, Chair; Gabe Shepherd, Vice Chair; Nancy Wyse, Commissioner; Vance Croney, County Counsel; Rachel McEneny, County Administrator; Rick Crager, Assistant County Administrator

Elected Officials: Ryan Joslin, District Attorney; Jef Van Arsdall, Sheriff

Staff: Rachel Bulder, Marriah De La Vega, Maura Kwiatkowski, Board staff; April Holland, Health Department; Erika Milo, Board Recorder; Petra Schuetz, Community Development

1. Call to Order and Introductions

Chair Malone called the meeting to order at 9:03 AM and introductions were made.

2. Election of 2026 Board Chair and Vice Chair

MOTION: Shepherd moved to nominate Pat Malone as 2026 Chair of the Board of Commissioners. Wyse seconded the motion, which **carried 3-0**.

MOTION: Wyse moved to nominate Gabe Shepherd as 2026 Vice Chair of the Board of Commissioners. Shepherd seconded the motion, which **carried 3-0**.

3. Review and Approve Agenda

Item 7. Was heard before items 6.1 and 6.2.

4. Announcements

Malone shared that Commissioner Claire Hall from Lincoln County passed away on January 4, 2026. Malone praised Hall's dedication to public service, helping the most vulnerable residents, and making a difference in her community.

5. Comments from the Public

Malone announced that the Board would not accept public comment regarding LU-24-027, Application for a Conditional Use Permit for the expansion of Coffin Butte Landfill, as the official record had closed.

No comments were offered.

6. Work Session

6.1 Discussion of Reconsideration of the Board of Commissioners' Decision Regarding LU-24-027, Application for a Conditional Use Permit for the Expansion of Coffin Butte Landfill - Board of Commissioners

Schuetz explained that this meeting's agenda originally included a Public Hearing to reconsider LU-024-27, application for a Conditional Use Permit. That hearing has been postponed until the January 20, 2026 Public Hearing to allow more time for the Public Hearing notification process. All that information will be posted to the Coffin Butte Landfill webpage, in a forthcoming press release shared through Flash Alert and the County's webpage, and an emailed or mailed notice that was sent to about 1,000 interested parties. The revised January 6, 2026 meeting agenda (published on January 2, 2026) now includes today's work session item, where staff will update the Board on the process by which the County will reconsider this decision. The packet for the January 20, 2026 Board Meeting will be published on January 13, 2026.

Wyse explained that the main cause for the delay was the need to send notice to all interested parties. Wyse was not aware of that requirement when she moved on December 16, 2026 to reconsider the decision.

Responding to questions from Shepherd, Schuetz replied that the January 13, 2026 packet for the January 20, 2026 Board Meeting would include a staff recommendation on how the Board might receive public testimony, after which the Board will decide on that matter. The Board would need to take written testimony at that Public Hearing. Whether to include verbal testimony is still being considered. There is no open record at this time. Staff anticipate that some additional documentation will be submitted for members of the public to comment on.

Counsel added that the question of how to structure the open record period, and the timeline of submission opportunities within it, was under discussion by Counsel,

Schuetz, outside Counsel Melissa Ryan, and Winterbrook Planning. Because of the 90-day reconsideration period, there will be an opportunity for the public to submit testimony, most likely written, in response to any additional documentation staff presents on January 20, 2026. This will allow the Board to consider additional evidence. On January 20, 2026, the hearing could be continued until the Board makes a decision, and the record could be opened. Staff are still working out the timelines for submitting documentation or evidence within the 90-day period.

Shepherd summarized that information from staff about items that came to light after the public record was closed will be published in the January 20, 2026 packet and will be presented by staff to the Board at the January 20, 2026 meeting. Next, the Board will determine how and when to receive public input in response to staff's information, including whether to take verbal or only written testimony, and how long the record will be open. After that decision, the public will have time to submit testimony. The applicant will have time to rebut, after which the record will be closed again, and the Board will make a decision on the reconsidered motion.

Responding to a question from Malone, Counsel replied that the 90-day period began on December 16, 2025, when notice of reconsideration was transmitted to the Land Use Board of Appeals, and will end in mid-March 2026.

Malone asked whether the possible public testimony would address the new information received since the record was closed.

Counsel replied that outside Counsel was tending in that direction.

Chair Malone recessed the meeting at 9:23 AM and reconvened at 9:27 AM.

**6.2 Annual Review of County Leadership Policies and Practices:
Operational Agreements of the Board of Commissioners, County
Administrator, and County Counsel - Rachel McEneny, County
Administrator**

McEneny explained that this document was reviewed annually. The first version was created by previous County Administrator Joe Kerby in 2021, and has been updated to reflect changes such as adding an assistant county administrator. The document helps the public understand what a commissioner can or cannot do. The Board has two employees: Counsel and McEneny. Today's discussion would focus on Policy 4.0: Chair's and County Administrator's Responsibilities. Responding to a question from Malone, McEneny added that the version of the document in the packet had not changed since last year.

Wyse asked about the governing statement (on packet page 12), which states that the Board's responsibilities included maintaining and operating a County Jail. Wyse had

thought that in Oregon Revised Statutes, that responsibility belonged to the Sheriff.

Counsel confirmed that the Sheriff is responsible for maintaining and operating the jail, but added that budgeting for the jail falls to the Board.

Wyse suggested adding language such as, 'the Board, in concert with the Sheriff.'

McEneny concurred. McEneny asked whether it was her responsibility or the Chair's to schedule the Board's public meetings. Currently, the Chair, County Administrator, and staff build agendas. McEneny asked how that should be done in future.

Wyse wanted to continue the current process, in which the agenda is created in consultation with the Chair, then staff check the Commissioners' schedules.

Malone commented that the agenda setting process was a collaboration. De La Vega manages the Commissioners' schedules. Malone felt the current approach had served the Board well, and creating the agenda was not any one person's responsibility.

Shepherd concurred with Wyse and Malone that setting the Board Meeting schedule was a collaboration between the Chair and staff.

McEneny recommended adding a quarterly Executive Session to discuss County Administrator goals.

Malone favored having an annual discussion of the policy and quarterly placeholders for issues that should be addressed more often. The quarterly sessions could be struck from the agenda if there was insufficient business. The policy document should reflect the County's actual practice.

7. Consent Calendar

This item was heard before items **6.1** and **6.2**.

- 7.1 Appointment of Mark Rose to the Brownly-Marshall Road District, Order No. D2026-026**
- 7.2 Appointment of Peter Sikich to the Chinook Road District, Order No. D2026-027**
- 7.3 Reappointment of Sharon Navarro to the Country Estates Road District, Order No. D2026-028**
- 7.4 Reappointment of Dewayne Irvin to the McDonald Forest Estates Road District, Order No. D2026-029**

- 7.5 **Appointment of Rick Veronen to the Mary's River Estates Road District, Order No. D2026-030**
- 7.6 **Reappointment of Sean Nealon to the Oakwood Heights Road District, Order No. D2026-031 - No presenter**
- 7.7 **Reappointment of Jai Giffin to the Ridgewood Road District, Order No. D2026-032**
- 7.8 **Reappointment of Greg Henderson to the Rosewood Estates Road District, Order No. D2026-033**
- 7.9 **Appointment of Dorothy Carlson to the Westwood Hills Road District, Order No. D2026-034**
- 7.10 **Reappointment of Lee Ann Julson to the North F Street Road District, Order No. D2026-035**
- 7.11 **Appointment of Nicole Ballinger to the Vineyard Mountain Road District, Order No. D2026-036**

MOTION: Wyse moved to approve the Consent Calendar. Shepherd seconded the motion, which **carried 3-0**.

8. New Business

- 8.1 **In the Matter of Setting the Meeting Schedule for the Board of Commissioners, Order No. D2026-001 - Pat Malone, Chair, Board of Commissioners**

MOTION: Shepherd moved to adopt Order #D2026-001, setting the meeting schedule for the Board of Commissioners. Wyse seconded the motion, which **carried 3-0**.

- 8.2 **In the Matter of Designating Official Newspapers for the Board of Commissioners, Order No. D2026-012 - Pat Malone, Chair, Board of Commissioners**

MOTION: Shepherd moved to adopt Order #D2026-012. Wyse seconded the motion, which **carried 3-0**.

8.3 Sole Source Approval to Contract for Severe Weather Sheltering Materials, Order No. D2026-037 - April Holland, Health Department Director

Holland explained that the County has Public Health pandemic funds which expire on June 30, 2026, and can only be spent on specified uses. Purchasing a heated tent structure is an allowed use. Such a structure can serve the community during a pandemic, or as a vaccination site or shelter. Staff found a sole source, DLX Enterprises, which makes interoperable tents that have already been procured by the State, Benton County Emergency Management, many partners, and other Oregon counties. These tents can also be used for mutual aid and resource sharing. The purchase did not meet the County's threshold for sole source procurement, as the first invoice is just under \$100,000, but there is a second invoice for heating, floors, and other elements which brings the total over that limit, hence this request.

Given that the County's shelter funds were cut by about \$800,000, this shelter work helps preserve and protect the health of some of the County's most vulnerable residents. Criteria have been changed on when to activate overflow severe weather sheltering, in order to prioritize hotel sheltering (which has become prohibitively expensive) for people 65 and older and families with children. Congregate sheltering will require a winter seasonal fire permit through the Fire Marshal. Staff have been working on an allowance for pre-approved, pre-inspected structures to temporarily expand the number of individuals who can sleep overnight in a structure. Another way to provide congregate sheltering is with a tented structure with heating, floors, and other features.

Responding to questions from Shepherd, Holland explained that these funds were received from OHA for COVID-related expenses. The County previously used these funds for COVID-19 contract tracing, case investigations, and wraparound services for unsheltered individuals. Over time, Oregon Health Authority (OHA) allowed the County to purchase vaccine refrigerators and provisions for emergency preparedness, such as this tent. The structure will host 20 individuals.

Wyse asked whether any COVID-19 funds would remain after this purchase.

Holland replied that staff are working to expend all of this funding. Public Health Division Director Sara Hartstein is working with OHA to receive batch approval for various items, but this item is being presented separately to ensure timely completion. OHA has allowed fund uses to include current and potential COVID-19 items.

Malone recommended that at a later date, staff review the dollar amount thresholds for sole source authorization and Requests for Proposals. This could be done during the budget process to see if the amounts are still appropriate.

Counsel shared that he had been working on this matter with Procurement staff for

about six weeks, asking departments where new limits should be set. Every department is hampered because County Code is no longer effective with current pricing. In late January-early February 2026, staff will present a proposal to the Board to increase those thresholds in Benton County Code Chapter Two. In this case, using a sole source required splitting the project cost in two, which is inefficient.

MOTION: Shepherd moved to adopt Order #D2026-037, directing sole source approval to contract for severe weather sheltering materials. Wyse seconded the motion, which **carried 3-0**.

9. Other

No other business was discussed.

Chair Malone recessed the meeting at 9:53 AM and reconvened at 10:26 AM.

10. Executive Session ORS 192.660[2][i] – Performance of Chief Executive Officer

Chair Malone recessed the regular Board Meeting at 10:26 AM and immediately convened an Executive Session.

Chair Malone recessed Executive Session at 11:25 AM and immediately reconvened the regular Board meeting.

11. Adjournment

Chair Malone adjourned the meeting at 11:25 AM.



Pat Malone, Chair



Erika Milo, Recorder

* NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.