



Board of Commissioners

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**MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 3, 2026, 9:00 AM**

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

Excused: Rachel McEneny, County Administrator

Elected

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

Staff: Rachel Bulder, Maura Kwiatkowski, Board staff; Jennifer Ferrer-Santa Ines, Jeramie Martin, Karen Vaughn, Financial Services; Cory Grogan, Anne Thwaits, Public Information; Sean McGuire, Sustainability; Erika Milo, Board Recorder; James Wright, Community Development

Guests: The Honorable Judge Joan Demarest, Nicole Ashley, Benton County District Court; John Phillips IV, Linn-Benton NAACP; Jason Schindler, Environment and Natural Resources Advisory Committee

1. Call to Order and Introductions

Chair Malone called the meeting to order at 9:01 AM and introductions were made.

2. Review and Approve Agenda

The following item was tabled to the February 17, 2026 Board Meeting:

8.2 Future of the Benton County Environment and Natural Resources Advisory Committee - Sean McGuire, Sustainability Coordinator; Jason Schindler, Chair, Environment and Natural Resources Advisory Committee

The following items were added under **10. Other:**

10.1 Letter of Support for Shelter Funding to the Senate Ways and Means Committee – Rick Crager, Assistant County Administrator

10.2 Letter of support for Resolution 203: No Secret Police – Pat Malone, Chair, Board of Commissioners

The agenda items were heard in this order: Items **1.** through **7.**, **8.3, 8.4, 10.1, 8.1, 10.2, 9.1, 11.**

3. Announcements

No announcements were made.

4. Proclamations

4.1 In the Matter of Proclaiming February 2026 as Black History Month in Benton County, Proclamation No. P2026-001 - John Phillips IV, President, Linn Benton NAACP Branch No. 1118

Phillips read the Proclamation aloud. Black History Month celebrates the achievements, contributions, and resilience of Black individuals throughout history, while recognizing the ongoing struggle for equality and justice. Black history is American history. This year's theme is "A Century of Black History Commemorations."

MOTION: Shepherd moved to proclaim February 2026 as Black History Month in Benton County, Proclamation #P2026-001. Wyse seconded the motion, which **carried 3-0.**

Phillips described upcoming community events celebrating Black History Month. Phillips challenged the Board to find the name of one or more Black individuals in history that were unfamiliar to them and learn more.

Shepherd shared that Phillips would be appointed to the Willamette Criminal Justice Commission at its next meeting.

Malone mentioned Reuben Shipley, the Black pioneer who donated the land for the Mount Union Cemetery in the City of Philomath in 1861. Malone described Shipley as an extraordinary person who left a true legacy for the community.

5. Comments from the Public

No comments were offered

6. Consent Calendar

6.1 In the Matter of Appointment of Jacob Gradwohl to the Property Value Appeals Board, Order No. D2026-040

6.2 Approval of the January 27, 2026 Board of Commissioners Applicant Interview Meeting Minutes

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

7. Old Business

7.1 Second Reading and Adoption of the Amendment to Benton County Code Chapter 91, Regarding Mobile Food Units, Ordinance No. 2026-0328 – James Wright, Associate Planner, Community Development

Wright explained that this update to Benton County Code (BCC) sets clear rules for temporary mobile food units (MFUs) in unincorporated Benton County. This amendment defines MFUs, limits how long and how often MFUs can operate, and explains where MFUs are allowed. MFUs are allowed in certain commercial, agricultural, and industrial zones. Compliant MFUs will be allowed outright without a land use permit as long as they meet clear siting and operational standards and continue to comply with Environmental Health and Fire Code regulations. The goal is to support small businesses and events while preventing permanent land use impact. Staff recommend the adoption of the text amendment as proposed, BCC 91.570 to 91.575.

MOTION: Shepherd moved to conduct the second reading and adoption of Ordinance #2026-0328, amending Chapter 91 regarding mobile food units. Wyse seconded the motion, which **carried 3-0**.

Counsel read the Ordinance aloud (short title). The Ordinance will take effect March 5, 2026. Wright contacted every rural fire district and city in Benton County to ensure that the changes were acceptable to all.

Wright will submit a post-acknowledgment plan to the Department of Land Conservation and Development.

8. New Business

8.1 Oregon Criminal Justice Commission's 2026 Oregon Innovation and Intervention Fund Grant Opportunity - The Honorable Judge Joan Demarest; Nicole Ashley, Adult Treatment Court Program Coordinator, Benton County District Court; Jennifer Ferrer-Santa Ines, Chief Financial Officer; Jeramie Martin, Grants Manager; Financial Services

Demarest explained that the Benton County District Court is applying for a grant to fund Adult Treatment Court (ATC). This grant would provide access to urinalyses on weekends and holidays, additional support for participants, and more.

Martin noted that ATC was formerly known as Drug Treatment Court (DTC). A team led by Ashley and Demarest have been working to continue the DTC vision. The Court will request \$200,000 from the State through the Oregon Criminal Justice Commission so providers have the essential supplies and services to be successful for Benton County residents. There would be no fiscal impact to the County other than a minor amount of Martin's time. The County would receive 10% of the award for administration.

Demarest noted Joslin was also present in support of the effort. Demarest explained that ATCs are deemed the most effective way to prevent recidivism and are cost-effective. ATCs provide intensive wraparound services. This program focuses on individuals who are high risk and high need, meaning they have a significant drug problem and are in a significant criminology situation. Program participation lasts for at least 12 months. In the past, when Oregon drug laws were made less strict, the Courts had less leverage to make individuals participate in ATC. Now, Joslin has been more flexible and creative in accepting individuals to ATC, so more people can participate. Studies have shown that a "big carrot" (incentive) approach is much more effective than a "heavy stick" (penalty) approach, both of which are used in this program.

The first ATC session began January 14, 2026. There are only three participants now, due to some candidates having out-of-county warrants, but many more people will be able to join soon. The program coordinator position was filled using Oregon Judicial Department funds and the County provided a building, so the program was able to start without any outside funding. This grant will make services more robust.

Ashley shared that the ATC program builds community support for participants so they can maintain their sobriety, making this program an overall benefit to the county.

MOTION: Shepherd moved to approve submittal of an application for an Oregon Criminal Justice Commission 2026 Oregon Innovation and Intervention Fund grant opportunity. Wyse seconded the motion, which **carried 3-0**.

Demarest noted her position as Judge expires in January 2027, but she will continue leading ATC for at least two more years.

8.2 Future of the Benton County Environment and Natural Resources Advisory Committee (ENRAC) - Sean McGuire, Sustainability Coordinator; Jason Schindler, Chair, Environment and Natural Resources Advisory Committee

Due to staff illness, this item was tabled until the February 17, 2026 meeting.

8.3 Association of Oregon Counties (AOC) 2026 Membership Renewal -
Pat Malone, Chair, Board of Commissioners

MOTION: Shepherd moved to approve renewal of the County's membership in the AOC and payment of annual membership dues in the amount of \$44,363.39. Wyse seconded the motion, which **carried 3-0**.

8.4 Oregon State University (OSU) Out of Darkness Event Sponsorship Request – Pat Malone, Chair, Board of Commissioners

Malone explained that the Out of Darkness Event is a campus walk for suicide prevention, supported by the American Foundation for Suicide Prevention, Oregon Chapter. OSU is dedicated to supporting those in need, spreading the significance of suicide prevention, and decreasing mental health stigma. The event will occur on April 18, 2026. Benton County has not previously supported this event. Sponsorship levels range from \$500 to \$10,000.

Shepherd expressed support for this event, which intersects with the County's work on behavioral and mental health. However, the increments between sponsorship levels were substantial. Shepherd proposed directing staff to ask OSU about advertising the County's suicide prevention services, rather than direct sponsorship.

Wyse favored sponsoring the event at the lowest level, \$500, and asking how the County could work with OSU to amplify messaging about County services.

Malone also favored combining sponsorship with in-kind contribution, especially given the County's significant budget constraints. Malone suggested that Health Services contact OSU.

Shepherd agreed with a \$500 sponsorship but would prefer to wait until staff can gather information.

Wyse and Malone also favored this approach.

Crager stated that staff could provide more information at the February 17, 2026 Board Meeting.

9. Public Hearing

Chair Malone recessed the meeting at 10:05 AM and reconvened at 11:00 AM.

1. Amending Benton County Code Chapter 2 to Update Procurement Thresholds - Vance Croney, County Counsel; Karen Vaughn, Procurement Analyst, Financial Services

Following item 10.1, Chair Malone reconvened the meeting at 11:00 AM and immediately opened the Public Hearing for item 9.1.

Staff Report

Santa-Ines explained that Benton County's procurement thresholds had not been adjusted since 2014, which had created some inefficiencies, lengthening procurement timelines and causing some administrative burden. Procurement Analysts Vaughn and Gabrielle Fecteau surveyed all County departments for input on a proposed increase.

Vaughn explained that the main reason for the updates was to keep pace with rising costs and inflation, and to prevent cumbersome processes for day-to-day business. Staff ensured that this proposal would align with recently updated State and Federal procurement schedules. Benton's current small procurement threshold (no solicitation required) is expenses under \$15,000, which would change to under \$35,000. A slightly higher threshold allows better flexibility and responsiveness to the County's needs, while maintaining good stewardship. Intermediate procurement, which requires three bids, will be for costs from \$35,000 to \$249,999. Large procurement, which requires a request for proposals, will be for costs \$250,000 and over (the same as the State). Internal leadership agreed with this change, which helps the County mitigate risks. State price agreements were embedded, but County ones have been added. These are currently \$150,000 for up to five years; staff propose \$250,000 for five years. There are some exemptions, so staff propose \$500,000 for five years for fuel, which is listed in the Benton County Code (BCC) Chapter 2 contract. The intent is to avoid changing the thresholds for a while, and to remain competitive without hindering departments.

Crager noted that the State threshold for small procurement is under \$25,000, but Benton County has proposed \$35,000, so there is a risk of not matching Federal or State thresholds. Crager asked what control would ensure the County meets those more stringent requirements.

Vaughn concurred that the County currently has a slightly higher threshold for small procurement than the State. Fecteau and Vaughn ensure the County follows the State threshold. This is clearly explained in staff training.

Malone asked whether the County should revisit this topic every five years or so, to avoid falling so far behind.

Vaughn replied that procurement staff would monitor the market; when the State has price agreements for services and materials, staff leverage those. Five-year intervals would make sense, as the economy is changing rapidly.

Santa-Ines concurred that a review schedule could be added.

Counsel suggested that the next time thresholds were examined, the County could use fixed numbers plus a built-in, annually updated Consumer Price Index, allowing the County to keep up with the cost of goods. However, the proposed thresholds, especially the lower one, have enough leeway that price increases could occur for four to six years before the County would need to realign its thresholds.

Public Comments

No comments were offered.

Chair Malone closed the Public Hearing at 11:18 AM.

MOTION: Shepherd moved to amend Benton County Code Chapter 2 to update the procurement thresholds and to conduct a first reading of Ordinance #2026-0329. Wyse seconded the motion, which **carried 3-0**.

Counsel read the Ordinance aloud (short title). The second reading will occur on February 17, 2026. The new thresholds will take effect on March 19, 2026.

10. Other

10.1 *Letter of Support for Shelter Funding – Rick Crager, Assistant County Administrator

Crager presented a draft letter of support to the Joint Committee on Ways and Means [exhibit 1]. At the recent Legislative Breakfast event, the Board told the congressional delegation about the County's shelter funding needs this biennium. The County is short on shelter funds and is communicating with Lane County about a request to backfill resources which were cut this biennium, and to backfill the funding methodology change by Oregon Housing and Community Services. The funding Benton received would cover only 35% of the required number of shelter beds. Representative Julie Fahey, Oregon Speaker of the House, favored this joint request proceeding. Rather than a capital expenditure bill, the delegation would prefer a direct request to Ways and Means, which will hold a hearing tonight to discuss funding shortfalls. Benton is also working with partners and has received letters of support. Crager was still working with Lane to determine total need, but the request would be for approximately \$5.5 million, with Benton receiving \$1.2 million. Letters can be filed until the Ways and Means Meeting, and for 48 hours thereafter.

MOTION: Shepherd moved to authorize the submittal of the letter of support for shelter funding as presented, with the addition of the proper dollar amount. Wyse seconded the motion, **which carried 3-0**.

{Exhibit 1: Letter of Support for Shelter Funding }

10.2 *Letter of Support for Senate Joint Resolution 203: No Secret Police
– Pat Malone, Chair, Board of Commissioners

Malone explained that the Board had received emails on this matter from State Representative Tom Andersen. If Senate Joint Resolution 203 passes the House and Senate, it would be referred to voters as early as November 2026 to amend the State Constitution.

Crager added that this letter was also emailed to Joslin and Van Arsdall because this Resolution would directly impact law enforcement uniforms.

Van Arsdall shared a concern for himself or Parole and Probation staff, who often work in the office in professional attire and may simply add a tactical vest with “Sheriff” printed on the back. The vest is essentially those individuals’ official uniform, but that might not meet the desired impact of this Resolution. Similarly, Corvallis Police Department’s plainclothes detectives may put a tactical vest over regular clothing and respond to calls for service. Even with “Sheriff” clearly marked on a deputy’s sleeve and/or back, community members can become confused about an officer’s jurisdiction. Van Arsdall stated he could not ask Parole and Probation deputies to wear a uniform daily. Some law enforcement agencies fall under State control and do not wear uniforms at all. Van Arsdall expressed neutrality on the Board’s support for this letter but wanted to ensure the Board had all the information.

Joslin commented that if it was not crucial to decide about the matter today, more thought might be advisable, including input from other law enforcement agencies that operate in Benton County. Joslin noted he tries not to weigh in on legislative matters unless his office is directly affected. The proposed Resolution references another statute which already mandates that officers identify themselves. Resolution 203 feels somewhat redundant and could lead to lawsuits. The concerns need additional thought and conversation.

Wyse also had concerns and questions. The Resolution mentions masks; there is a pending amendment which states that officers may wear masks when at risk of exposure to smoke, infectious disease, or biological hazard. Wyse wondered whether an officer with a compromised immune system would be allowed to wear a mask on duty for health reasons. Wyse also wondered about the definition of an official uniform; if Van Arsdall came to a business meeting in plain clothes yet was acting in an official capacity, would he be considered noncompliant? Wyse would need to know more about the Resolution before supporting it.

Malone agreed that the Board needed to examine the Resolution and rule out

unintended consequences.

Crager offered to ask County lobbyists CFM Advocates to gather additional information. The Resolution's definition of a law enforcement officer was fairly broad, including district attorney investigators and juvenile counselors.

Wyse assumed that this Resolution related to concerns about Immigration Control and Enforcement (ICE) and its mode of operation. Wyse strongly supported the effort to hold ICE to the same standards as all law enforcement agents, but without examining unintended consequences, Wyse could not support the letter today.

Shepherd wanted to support the letter because he was outraged that someone unidentified and masked could take action and not be held accountable by local or Federal law. That is abhorrent and goes against constitutional democracy. However, the cover email states that the amendment contains exceptions for undercover operations, Special Weapons and Tactics (SWAT) teams, and health risks, yet that is not in the actual Resolution text. Shepherd was concerned about Parole and Probation officers and the definition of an official uniform, and felt this Resolution text did not reflect what the drafters intended. The Resolution would probably affect Oregon's law-abiding agencies more than it would affect Federal officers who were already comfortable violating the law. Shepherd thought the Board might not have time to provide feedback due to the short timing of the Legislative session.

Wyse asked about sharing these concerns with Representative Andersen to at least help improve the draft letter.

Crager confirmed, and emailed CFM for more information.

Malone suggested that Crager also ask CFM about any other bills concerning the same issue.

Crager replied that a number of bills address these items of concern. The Board's input to the Legislature would be valuable.

Shepherd felt that the Resolution might pass quickly, so the Board should submit its concerns to help shape potential amendments.

Malone supported expressing the Board's concerns and seeking feedback from CFM and the Association of Oregon Counties. The Commissioners can support the item as individuals and gather more information before acting as a Board.

{Exhibit 2: Senate Joint Resolution 203}

Following item 9.1, Chair Malone recessed the meeting at 11:20 AM.

11. Executive Session Under ORS 192.660[2][i]—Performance Reviews

Chair Malone reconvened the regular Board Meeting at 1:32 PM and immediately convened an Executive Session under ORS 192.660[2][i]—Performance Reviews.

Chair Malone recessed the Executive Session at 2:38 PM and immediately reconvened the regular Board Meeting.

MOTION: Shepherd moved to accept McEneny's 2025 performance evaluation as submitted in NeoGov. Wyse seconded the motion, which **carried 3-0**.

12. Adjournment

Chair Malone adjourned the Board Meeting at 2:39 PM.



Pat Malone, Chair



Erika Milo, Recorder

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