

BOARD ORDERS AND MINUTES

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY (“the Board”) sat for the transaction of county business in formal session on January 20, 2005 at 10:00 a.m. in Room 32 of the Courthouse, Commissioners Mary P. Stern and Kathy George being present and Commissioner Lewis being excused to attend an Oregon Transportation Commission meeting.

Also present were John M. Gray, Jr., County Counsel; Rick Sanai, Assistant County Counsel; John Krawczyk, Director of Administrative Services; Ken Friday, Planning Division Manager; Walter Gowell, P.O. Box 480, McMinnville; Scott Macy, 135 NE Evans, McMinnville; and Ken Moore, 23890 Mt. Richmond Road.

Commissioner Stern called the meeting to order.

A. **PUBLIC COMMENT:** This fifteen-minute time period is reserved for public comment on any topic other than a quasi-judicial land use matter or other topic scheduled for public hearing. None offered.

B. **CONSENT AGENDA:** Ms. George moved approval of the consent agenda with a change on item #2 to \$18/hour. The motion passed, Commissioners Stern and George voting aye.

Personnel

1. **B. O. 05-33** - Approve the employment of Fabricio Reyes, Amity, as HS Specialist 1 in Developmental Disabilities, regular part-time, Range 17, Step 1, \$2766.54/month, effective January 31, 2005.

2. **B. O. 05-34** - Approve the employment of Joseph Danka, Salem, and Tracy Redfield, Carlton, as Extra Help in Maintenance, temporary full-time, \$18/hour, retroactive to January 19, 2005 until February 28, 2005.

3. **B. O. 05-35** - Approve the employment of the following individuals as on-call relief in the Juvenile Department, Range 12, Step 1, effective January 20, 2005:

- a. Chad Boyd, Monmouth, \$7.50/hour;
- b. Jordan Paulino, Amity, \$7.25/hour;
- c. Janet Barden, McMinnville, \$7.25/hour.

4. **B. O. 05-36** - Approve the change of status to restore Peter Jensen from temporary layoff as Laborer II in Public Works, temporary part-time, retroactive to January 18, 2005.

Resolution

5. **B. O. 05-37** - Adopt Resolution 05-01-20-1, adopting the National Incident Management System as the foundation for incident command, coordination, and support activities.

C. PUBLIC HEARINGS:

1. Consideration of Planning Docket PAZ-07-04, a request for zone change from EF-80 to PAI for 76 acres, applicant Evergreen Memorial Park. *[Tentatively approved; findings to be adopted February 9, 2005 at 9:00 a.m.]*

Ms. Stern opened the public hearing. There were no abstentions or objections to jurisdiction.

Rick Sanai read the statement required for land use hearings related to the requirement that parties must raise all issues at the hearing or waive their right to raise the issues on appeal.

Staff Report - Ken Friday entered the staff report into the record and reviewed the size of the parcel, surrounding zoning, and the request for zone change from EF-80 to PAI. He noted that the Planning Commission had voted unanimously to recommend approval of the request with the placement of a limited use overlay zone.

Proponents - Walter Gowell stated that Evergreen Memorial Park is a critical facility and is the largest cemetery in Yamhill County, containing about four generations of family burials and serving every political jurisdiction. He shared his personal feelings about what the cemetery means to him and his family and stated that there are no alternative locations for displacement of the facility. He listed the reasons why the application is consistent with the county's Comprehensive Plan and stated that approval would be appropriate in order to remedy a prior mistake in the parcel's zoning. He supported the mitigating condition of a limited overlay district, which would preserve farm use of the property until it is needed for the cemetery.

He explained how the application meets all criteria for a reasons exception to Goal 3 and stated that the only likely transportation change over time would be the possible relocation of the main entrance to make it straighter. He estimated that the applicant wouldn't need new plat approval for development of the remaining land until 2010.

Questions of Proponents - Mr. Gowell stated that the applicant doesn't anticipate a need to rezone the small piece of property across Highway 47 because it is a reservation parcel for St. James Cemetery's long-term needs.

Public Agency Reports - Mr. Friday stated that there are no additional public agency reports other than what was noted in the staff report.

Staff Recommendation - Mr. Friday recommended approval of the application with placement of the limited use overlay zone.

Close of Public Hearing/Deliberation - Commissioners George and Stern expressed their appreciation to the applicants for doing a good job in maintaining the cemetery as a valuable

historical site for county residents and their families.

Ms. George moved tentative approval of Planning Docket PAZ-07-04 with findings to be adopted February 9, 2005. The motion passed, Commissioners Stern and George voting aye.

D. OLD BUSINESS:

1. **Tabled** - Consideration of adoption of findings in support of the legalization of portions of Willamina Creek Road, as tentatively approved January 6, 2005 and continued from January 13, 2005. *[Continued to January 27, 2005 at 10:00 a.m.]*

Rick Sanai stated that Public Works has requested a continuation of items #1-2 to allow them enough time to file the appropriate surveys. Ms. Stern moved to continue both items to January 27, 2005. The motion passed, Commissioners Stern and George voting aye.

2. **Tabled** - Consideration of adoption of findings in support of the legalization of portions of Baker Creek Road and Hill Road, as tentatively approved January 6, 2005 and continued from January 13, 2005. *[Continued to January 27, 2005 at 10:00 a.m.]*

E. OTHER BUSINESS (Add-ons and non-consent items):

1 **B. O. 05-38** - Consideration of approval of Amendment #5 to Contract #109355 between Public Health and Oregon Department of Human Services to reflect a reduction in federal bioterrorism funding.

Ms. George stated that since this funding hadn't actually been used, the impact of the reduction will be minimal. She moved approval of the contract amendment. The motion passed, Commissioners Stern and George voting aye.

2. **B. O. 05-39** - Consideration of approval of a performance bond and agreement between Public Works and Jeffery Smith for road improvements in the Kemper Crest 2 subdivision, \$159,497, effective January 20, 2005.

Ms. Stern moved approval of the performance bond and agreement. The motion passed, Commissioners Stern and George voting aye.

3. **B. O. 05-40** - Consideration of approval of a professional services contract between Adult Mental Health and Mid-Valley Behavioral Care Network for outpatient mental health services to Oregon Health Plan members, retroactive to October 1, 2004 until September 30, 2005.

Ms. George moved approval of the professional services contract. The motion passed, Commissioners Stern and George voting aye.

4. **B. O. 05-41** - Consideration of approval of reappointing Peter Shultz and David Weigan to the Special Transportation Advisory Commission for three-year terms to expire December 31, 2007.

Ms. Stern moved approval of the reappointment. The motion passed, Commissioners Stern

and George voting aye.

5. **B. O. 05-42** - Consideration of approval of the employment of Joe Stapleton, Amity, as Extra Help in Maintenance, temporary full-time, \$17/hour, effective January 20, 2005 until February 28, 2005.

Ms. George moved approval of the employment of Joe Stapleton. The motion passed, Commissioners Stern and George voting aye.

F. **ANNOUNCEMENTS:**

1. The following positions are open to the public. Contact the Commissioners' Office for applications.

- a. Commission on Children and Families, two positions;
- b. Parks Board, one position;
- c. Food Service Advisory Committee, six positions in various categories.
- d. Special Transportation Advisory Commission, two positions.

2. Flu shots are now available with no restrictions at the Public Health Department on Tuesdays and Thursdays.

Adjourn: 10:30 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY P. STERN

Commissioner LESLIE LEWIS

Commissioner KATHY GEORGE