

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 April 20, 2005 at 9:00 a.m. in Room 32 of the Courthouse, Commissioners Mary P. Stern, Leslie Lewis, and Kathy George being present.

Also present were John M. Gray, Jr., County Counsel; John Krawczyk, Director of Administrative Services; Merilyn Reeves, PO Box 1083, McMinnville; Dave Cruickshank, 11925 SE Cruickshank Road, Dayton; and Ilsa Perse, 5765 Mineral Springs Road, Carlton.

Commissioner Stern called the meeting to order.

A. **PUBLIC COMMENT:** This thirty-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. Unless extended or restricted by the Chair or majority of the Board, public comment will be limited to three minutes per person.

Merilyn Reeves, representing Friends of Yamhill County, submitted a written statement for the record regarding seven of the Measure 37 claims on today’s agenda. She said Measure 37 authorizes the county to allow an owner to use his or her property for a single use selected by the county, not for multiple uses such as subdivisions. She also urged the Board to remind applicants that Measure 37 waivers cannot be sold or transferred.

B. **CONSENT AGENDA:** Ms. Lewis moved approval of the consent agenda. The motion passed, Commissioners Stern, Lewis, and George voting aye.

Personnel

1. **B. O. 05-256** - Approve the employment of Stephanie Wyatt, Yamhill, as Office Specialist 2 in the Planning Department, regular full-time, Range 7, Step 2, effective April 25, 2005.
2. **B. O. 05-257** - Approve the employment of Andrea Shetzline, Portland, as HS Associate in Adult Mental Health, temporary on-call, Step 14, effective April 25, 2005 until June 30, 2006.
3. **B. O. 05-258** - Approve the employment of Ina Harlow, Carlton, as Police Clerk in the Jail, regular full-time, Range 4, Step 1, effective April 27, 2005.

Contracts

4. **B. O. 05-259** - Accept the low bid from C.C. Meisel Co. for chipseal aggregate material for fiscal year 2005-06.

5. **B. O. 05-260** - Approve a letter of agreement between Yamhill County and the Yamhill County Employees Association to amend Section 16.7 of the collective bargaining agreement regarding payday reporting periods.
6. **B. O. 05-261** - Approve a modification of agreement between the Commission on Children and Families and Rainbow Family Services to increase the allocation for the Safety Net Program to \$20,172, effective April 20, 2005.
7. **B. O. 05-262** - Approve a modification of agreement between the Commission on Children and Families and Yamhelas Community Resource Center to increase the Community Progress Team allocation to \$9058, effective April 20, 2005.
8. **B. O. 05-263** - Approve Amendment #6 to the 2004-05 LPHA Financial Assistance Contract #109355 between Public Health and Oregon Department of Human Services for Nutrition, Physical Activity and Obesity Prevention.
9. **B. O. 05-264** - Approve a service agreement between Community Corrections and SimplexGrinnell LP for the purchase and annual service of fire alarm detection systems, \$3911.
10. **B. O. 05-265** - Approve Letter of Agreement #614 between Adult Mental Health and Marion County for after-hours crisis services

Budget Transfer

11. **B. O. 05-266** - Approve the following transfer of discretionary funds for a mobile dental unit:

From	010-013-699.01	BOC#3	\$600
To	016-070-380.01-H003	Community Health	\$600

Committees

12. **B. O. 05-267** - Appoint Luann Breeden and Kristie Zacha to the Fair Board for three-year terms to expire April 20, 2008.

Vehicles

13. **B. O. 05-268** - Authorize the purchase of a new 2005 Chevrolet ½-ton 4x4 pickup for the Planning Department from Murray Chevrolet of Gresham, \$19,599, declaring P-083 as surplus county property to be sold on e-Bay to the highest bidder.
14. **B. O. 05-269** - Authorize the purchase of a new 2005 Ford Ranger 4x4 pickup for the Planning Department from Chuck Colvin Ford, \$17,710, declaring P-086 as surplus county property to be sold on e-Bay to the highest bidder.

Public Hearing

15. **B. O. 05-270** - Authorize the initiation of the process to transfer to the City of Newberg a portion of Crater Lane, setting a public hearing for June 8, 2005 at 9:00 a.m. in Room 32 of the Courthouse.

C. **OLD BUSINESS:** None.

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

Road Vacation

1. Consideration of Public Works Docket RV-2-2005, a request for vacation of portions of Apple and Front Streets in Whiteson, no public hearing necessary under ORS 368.351. [*Tentatively approved; findings to be adopted April 27, 2005.*]

Ms. Lewis moved tentative approval of the road vacation, with findings to be adopted April 27, 2005. The motion passed, Commissioners Stern, Lewis, and George voting aye.

Measure 37

2. **B. O. 05-271** - Consideration of approval of M37-15-05, a Measure 37 claim authorizing applicant Rainbow Ranch Corporation to subdivide approximately 167 acres into ten-acre lots and establish dwellings thereon.

John Gray stated that Ms. Reeves' earlier statement regarding allowing a single use is a legitimate argument which would have to be decided by a court if used in challenging a Measure 37 claim. Ms. George expressed her sympathy for the concerns of neighbors and stated that she believes the desire to prevent problems for farmers and an ugly countryside is shared by all Oregonians. She said the laws, which do protect farmers at this point, need to be kept strong.

Ms. George moved approval of M37-15-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

3. **Tabled** - Consideration of approval of M37-16-05, a Measure 37 claim authorizing applicants Glenn and Jeri Kindred to subdivide 9.7 acres into 3-5 lots and establish dwellings thereon.

Mr. Gray explained that the applicants have requested items #3-4 to be tabled because they are in the process of consulting legal counsel about the cases.

4. **Tabled** - Consideration of approval of M37-17-05, a Measure 37 claim authorizing applicant Lyle Kindred to partition five acres into two lots and establish dwellings thereon.

5. **B. O. 05-272** - Consideration of approval of M37-18-05, a Measure 37 claim authorizing applicant Margaret Bollinger to subdivide approximately 42.9 acres into eight lots and establish dwellings thereon.

Ms. Lewis moved approval of M37-18-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

6. **B. O. 05-273** - Consideration of approval of M37-19-05, a Measure 37 claim authorizing applicant Christine Feibel to subdivide approximately 91 acres into six lots and establish dwellings on each vacant parcel.

Ms. George moved approval of M37-19-05. The motion passed, Commissioners Stern,

Lewis, and George voting aye. Ms. Stern stated that she had received a letter from the applicant's neighbor about the possibility of this waiver devaluing their property and forcing them to file a similar claim.

7. **B. O. 05-274** - Consideration of approval of M37-20-05, a Measure 37 claim authorizing applicants Gary and Marie DuRette to partition approximately 49.5 acres and establish a dwelling on the new lot.

Ms. Lewis moved approval of M37-20-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

8. **B. O. 05-275** - Consideration of approval of M37-21-05, a Measure 37 claim authorizing applicants Glenn and Diane Gregg to partition approximately 78.26 acres into twelve lots and establish dwellings thereon.

Ms. George moved approval of M37-21-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

9. **B. O. 05-276** - Consideration of approval of M37-22-05, a Measure 37 claim authorizing applicant James Scheiper to establish one dwelling on a 59.7 acre property.

Ms. Lewis moved approval of M37-22-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

10. **B. O. 05-277** - Consideration of approval of M37-24-05, a Measure 37 claim authorizing applicant Robert White to subdivide 12.54 acres into five or six lots and establish dwellings thereon.

Ms. George moved approval of M37-24-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

11. **B. O. 05-278** - Consideration of approval of M37-25-05, a Measure 37 claim authorizing applicant Martha Jahnke to subdivide 38.5 acres into 2.5-acre lots and establish dwellings thereon.

Ms. Lewis moved approval of M37-25-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

Committees

12. **B. O. 05-279** - Consideration of the reappointment of Larry Collver to the Fair Board for a three-year term to expire March 3, 2008.

Ms. Lewis moved approval of the reappointment. The motion passed, Commissioners Stern, Lewis, and George voting aye.

E. **PUBLIC HEARINGS:** None.

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, two positions;
- c. Food Service Advisory Committee, six positions in various categories;
- d. Special Transportation Commission, two positions;
- e. Dog Control Advisory Committee, one position (candidates must be directly involved with dog-related issues);
- f. Local Alcohol and Drug Planning Council, one position.

Adjourn: 9:22 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY P. STERN

Commissioner LESLIE LEWIS

Commissioner KATHY GEORGE