

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 October 4, 2006 at 9:00 a.m. in Room 32 of the Courthouse, Commissioners Leslie Lewis, Kathy George, and Mary P. Stern being present.

Also present was Julia Staigers, Administrative Services Manager; John M. Gray, Jr., County Counsel; Rick Sanai, Assistant County Counsel; Ken Friday, Planning Division Manager; Jan Coleman, County Clerk; Gayle Jensen, Clerk’s Office Chief Deputy; Tonya Saunders, Transit Coordinator; Michael Robinson, 1120 NW Couch Street, Tenth Floor, Portland; and Dennis Walker, 17085 SE Walnut Grove Lane, Amity.

Commissioner Lewis 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. None offered.

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

Minutes

1. Approve the following formal session minutes:

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|---|---|
| a. <u>B. O. 06-713</u> - December 23, 2003 | i. <u>B. O. 06-721</u> - April 20, 2005 |
| b. <u>B. O. 06-714</u> - January 6, 2005 | j. <u>B. O. 06-722</u> - October 26, 2005 |
| c. <u>B. O. 06-715</u> - January 27, 2005 | k. <u>B. O. 06-723</u> - November 2, 2005 |
| d. <u>B. O. 06-716</u> - February 3, 2005 | l. <u>B. O. 06-724</u> - November 22, 2005 |
| e. <u>B. O. 06-717</u> - March 2, 2005 | m. <u>B. O. 06-725</u> - December 7, 2005 |
| f. <u>B. O. 06-718</u> - March 9, 2005 | n. <u>B. O. 06-726</u> - June 7, 2006 |
| g. <u>B. O. 06-719</u> - March 30, 2005 | o. <u>B. O. 06-727</u> - July 5, 2006 |
| h. <u>B. O. 06-720</u> - April 4, 2005 | |

Personnel

2. **B. O. 06-728** - Approve the employment of Linda Silvestre, Salem, as HS Specialist 1 in HHS Chemical Dependency, temporary full-time, Range 17, Step 1, effective October 4, 2006 through June 30, 2007.

3. **B. O. 06-729** - Approve the change of status of Leonardo Ceja Hidalgo to HS Specialist 1 in HHS Family & Youth, Range 17, Step 1, effective October 9, 2006.

4. **B. O. 06-730** - Approve the change of status of Margaret Jarmer to .9 FTE in HHS Abacus, retroactive to October 1, 2006 through January 1, 2007.
5. **B. O. 06-731** - Approve the change of status of Christopher Ray to Sergeant in the Sheriff's Office, Range 16, Step 7, \$4735/month, effective October 9, 2006.
6. **B. O. 06-732** - Approve the change of status of Jason Mosiman to Corrections Sergeant in the Jail, Range 16, Step 6, \$4509/month, effective October 9, 2006.
7. **B. O. 06-733** - Approve the change of status of Melissa Harlan to extend temporary part-time employment in Community Corrections, retroactive to September 28, 2006 through November 30, 2006.
8. **B. O. 06-734** - Approve the change of status of Faviola Martinez to Senior Office Specialist in the District Attorney's Office, Range 10, Step 2, effective October 9, 2006.
9. **B. O. 06-735** - Approve the change of status of the following employees in the Planning Department, effective October 9, 2006:
 - a. Mark Soderburg, Range 17, Step 5;
 - b. Jason Abraham, Range 23, Step 3.
10. **B. O. 06-736** - Approve a change in salary range for the Environmental Health Specialist 2 position in the Planning Department from Range 18 to Range 20.

Contracts/Grants

11. **B. O. 06-737** - Approve Intergovernmental Agreement 07-165 between Community Corrections and Oregon Employment Department for placement services, not to exceed \$14,456, effective November 1, 2006 through October 30, 2007.
12. **B. O. 06-738** - Ratify the approval of an agreement between Public Works and Ross Bros. and Company, Inc. for repairs to Hidden Hills Bridge on Baker Creek, a Cooperative Road Improvement Project to be funded by landowners in the Hidden Hills Subdivision, not to exceed \$14,644, retroactive to September 29, 2006 through October 13, 2006.
13. **B. O. 06-739** - Approve Amendment #3 to extend an agreement between Public Works and OBEC Consulting Engineers for the Meadow Lake Road Bridge, effective October 4, 2006 through July 31, 2007.
14. **B. O. 06-740** - Approve Amendment #1 to the 2006-07 Financing Agreement #117553 between HHS Public Health and Oregon Department of Human Services.
15. **B. O. 06-741** - Approve a grant agreement between HHS Public Health and Oregon Health & Science University for the CaCoon Program, \$24,975, retroactive to October 1, 2006 through September 30, 2007.
16. **B. O. 06-742** - Amend B.O. 06-601 to correct budget figures in the order establishing a process for HHS Public Health to expend funds from the local Commission on Children & Families for the

Healthy Start Program, \$238,845.

Roads

17. **B. O. 06-743** - Approve Public Works Docket RV-9-2006, a request for vacation of portions of public roads in Eola Walnut Groves subdivision, no hearing necessary under ORS 368.351.

Surplus Property

18. **B. O. 06-744** - Declare a BMW motorcycle (Unit P-36), Tati 450 mobile radio, and two mobile data terminals owned by the Sheriff's Office as surplus county property to be traded to McMinnville Police Department for two patrol cars and \$1000.

19. **B. O. 06-745** - Remove Item 03-2006 from the Yamhill County Surplus Property Sale inventory.

John Gray presented a request from Mike Brandt, Planning Director, for the Board to satisfy the Planning Department's \$8000 lien on the subject property. The Board agreed that the concern needs to be addressed. Ms. Stern suggested using Economic Development funds to satisfy the lien, since parks generate income for the county. Ms. George stated that it makes sense to use the property for a park, even though funds for improvements may not be available right away, because the county would probably not be able to afford to purchase the property later.

Refund

20. **B. O. 06-746** - Approve a \$570 refund to Jennifer Mueller from the Planning Department.

Resolution

21. **B. O. 06-747** - Approve Resolution 06-10-4-1 in support of the Chemeketa Community College Bond Measure 24-240.

C. **OLD BUSINESS:** None.

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

1. **B. O. 06-748** - Consideration of ratifying the approval of an intergovernmental agreement between the Clerk's Office and the Oregon Secretary of State for the Oregon Central Voter Registration System Services.

Jan Coleman stated that the federal government wants all counties to be on a state-wide registration database, but this means she will now have to pay over \$11,000 per year for software that doesn't have the functionality her \$5000 software had, such as barcoding capabilities. She stated that she is also having problems with the new software talking to the printers. She said she is hoping the state will give her some economic relief.

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

2. **B. O. 06-749** - Consideration of authorizing an application to the City of McMinnville for a lot line adjustment between the Clerk's Office, the Planning Department, and the Commissioners' Office.

Ms. Coleman stated that the lot line needs to be adjusted to accommodate the ramp required by the Americans with Disabilities Act (ADA). Ms. George moved to authorize the application. The motion passed, Commissioners Lewis, George, and Stern voting aye.

3. **B. O. 06-750** - Consideration of the employment of Jessica Wheeler, McMinnville, as Extra Help in the Assessor's Office, temporary part-time, \$7.50/hour, effective October 9, 2006 through September 1, 2007.

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

4. **B. O. 06-751** - Consideration of the employment of Sara Beachy, Woodburn, as HS Associate in HHS Adult Mental Health, temporary full-time, Range 14, Step 1, \$2544/month, effective October 9, 2006 through April 9, 2007.

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

5. **B. O. 06-752** - Consideration of the change of status of Graham Hafele to regular full-time employment in HHS Adult Mental Health, \$2544/month, effective October 9, 2006.

Ms. George moved approval of the change of status of Graham Hafele. The motion passed, Commissioners Lewis, George, and Stern voting aye.

6. **B. O. 06-753** - Consideration of approval of an agreement between Public Works and Engineering Information Services, Inc. for a digital image project on county roads, \$28,000, effective through November 30, 2006.

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

7. **B. O. 06-754** - Consideration of approval of an agreement between Health & Human Services and George Fox University for evaluation of the "Talk About It Tuesday" program, effective October 4, 2006.

Ms. George moved approval of the agreement, explaining that the evaluation is necessary to make it an evidence-based program. The motion passed, Commissioners Lewis, George, and Stern voting aye.

8. **B. O. 06-755** - Consideration of a request by Chris Kliesmet and Kurt Webber to waive fees for a public records request. [*Request denied.*]

Mr. Gray stated that he and Murray Paolo agree that the request for a fee waiver should be denied because of the estimated 250 staff hours it would take to complete the public records request. He suggested requiring a \$5000 cash deposit before work is started. Ms. Stern moved to deny the request for a fee waiver. The motion passed, Commissioners Lewis, George, and Stern voting aye.

9. **B. O. 06-756** - Consideration of authorizing the Chair to sign an agreement between Yamhill County and HDR Engineering, Inc. for a water supply analysis, not to exceed \$64,960, subject to approval by County Counsel.

Ms. George moved to authorize the agreement. The motion passed, Commissioners Lewis, George, and Stern voting aye.

E. **PUBLIC HEARINGS:**

1. Consideration of Planning Docket PAZ-02-05, a request for Plan Amendment/Zone Change from EF-40 to AF-10, applicant Dennis Walker. [*Tentatively approved, findings to be approved October 18, 2006.*]

Ms. Lewis opened the public hearing. There were no abstentions or objections to jurisdiction. She stated that the Board took a site visit the previous week and has no ex-parte contact to report. 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 described the subject property, surrounding zoning and property use, the request for zone change, and criteria for approval. He noted that the Planning Commission had recommended approval by a 7-0 vote. He said he did not believe Amity Fire Department had submitted a report, but he would double-check.

Proponents - Michael Robinson, representing the applicant, stated that no parties have appeared to oppose the request and he agrees with the staff report and Planning Commission recommendation for approval.

Opponents - None.

Public Agency Reports - Mr. Friday stated that no responses had been received from Amity Fire Department, Public Works, Yamhill County Soil and Water Conservation District, or Oregon Department of Fish and Wildlife. He said that the county sanitarian had reported that site evaluations had been done on both vacant parcels.

Staff Recommendation - Mr. Friday recommended approval of the request based on the belief that the subject property is irrevocably committed to rural residential use.

Close of Public Hearing / Deliberation - Ms. Stern expressed concern that no response had been received from Public Works and stated that for clarity's sake, Public Works should respond to all requests from the Planning Department. Mr. Friday explained that the referral does state that if no response is received, the department will presume there are no objections, but he would pass on Ms. Stern's request to the Public Works Director.

Ms. Stern moved tentative approval of Planning Docket PAZ-02-05 with findings to be adopted October 18, 2006. The motion passed, Commissioners Lewis, George, and Stern voting aye.

2. **B. O. 06-757** - Receipt of public comment regarding the private sale of Tax Lot R6701AC 05900 to Robert O. Dreixler for \$75 plus costs. [*Sale approved.*]

