

INFORMAL MINUTES

October 30, 2006

2:00 p.m.

Oval Office

PRESENT: Commissioners Leslie Lewis, Kathy George, and Mary P. Stern.

Staff: John M. Gray, Jr., John Krawczyk, Steve Mikami, Laura Tschabold, Mike Brandt, and Sherrie Mathison.

Guests: David Bates, News-Register; and Larry Bohnsack, KLYC.

* indicates item forwarded to formal agenda

Leslie called the meeting to order.

* Personnel - Steve Mikami presented personnel requests from various departments. See agenda for details. He noted that flu shots will be available to county employees on November 2 and 9, 2006 in Room 32 of the courthouse.

* Minutes - See agenda for formal minutes to be adopted. Mary moved approval of the following informal session minutes. The motion passed, Leslie, Kathy, and Mary voting aye.

B. O. 06-868 - December 12, 2005

B. O. 06-869 - December 19, 2005

B. O. 06-870 - January 23, 2006 work session

B. O. 06-871 - January 30, 2006

B. O. 06-872 - February 1, 2006 work session

B. O. 06-873 - February 6, 2006

* Contracts - See agenda for details.

* Committees - Approve the reappointment of Erin Rainey to the Solid Waste Advisory Committee for a three-year term to expire November 13, 2009.

* Refund - Authorize a \$479 refund to Thomas Kurt from the Planning Department.

Discretionary Spending - Leslie declared a \$500 expenditure from her discretionary account to Dormer's Screenprinting & Sports for Farmeroo signs.

The meeting recessed to executive session at 2:16 p.m. pursuant to ORS 192.660(2)(h) to discuss potential litigation. The meeting reconvened at 2:29 p.m. with no decisions made.

Measure 37 - Mike presented the following thirteen new Measure 37 claims (see attachment):

* 1) M37-68B-05: Mike recommended modifying, removing, or not applying the land use regulations back to the date of ownership. Mary moved to hold a public hearing. The motion passed, Leslie and Mary voting aye and Kathy voting no. The Board agreed to schedule the

MINUTES INFORMAL SESSION

Page 1

October 30, 2006

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public hearing for December 6, 2006. After further discussion and clarification, Mary moved for reconsideration of the public hearing. The motion passed, Leslie, Kathy and Mary voting aye. Mary moved to hold a public hearing. The motion passed, Leslie, Kathy and Mary voting aye.

* 2) M37-29-06: Mike recommended modifying, removing, or not applying the land use regulations back to the date of ownership. Mary moved to hold a public hearing. The motion passed, Leslie, Kathy and Mary voting aye. The Board agreed to schedule the public hearing for December 6, 2006.

* 3) M37-30-06: Mike recommended modifying, removing, or not applying the land use regulations back to the date of ownership. Mary moved to hold a public hearing. The motion failed, Mary voting aye and Leslie and Kathy voting no. Mike noted that he expects to have faxed verification of the claimant's name change before Wednesday.

* 4) M37-31-06: Mike recommended modifying, removing, or not applying the land use regulations back to the date of ownership. Mary moved to hold a public hearing. The motion failed, Mary voting aye and Leslie and Kathy voting no.

* 5) M37-32-06: Mike recommended modifying, removing, or not applying the land use regulations back to the date of ownership. Mary moved to hold a public hearing. The motion failed, Mary voting aye and Leslie and Kathy voting no.

* 6) M37-33-06: Mike recommended modifying, removing, or not applying the land use regulations back to the date of ownership. Mary moved to hold a public hearing. The motion failed, Mary voting aye and Leslie and Kathy voting no.

7) M37-34-06: Mike recommended modifying, removing, or not applying the land use regulations back to the date of ownership. Mary moved to hold a public hearing. The motion failed, Mary voting aye and Leslie and Kathy voting no. The Board agreed to table the item for a week until the application is signed by Mr. West.

* 8) M37-35-06: Mike recommended modifying, removing, or not applying the land use regulations back to the date of ownership. Mary moved to hold a public hearing. The motion passed, Kathy and Mary voting aye and Leslie voting no. Leslie stated that because of the density of lots proposed, she would normally vote for a public hearing, but this property is in the City of Newberg's urban growth boundary and could be annexed by the city. She expressed her frustration with the city's delays in annexing property despite its need for additional residential land. The public hearing was scheduled for December 6, 2006.

* 9) M37-36-06: Mike recommended modifying, removing, or not applying the land use regulations back to the date of ownership. Mary moved to hold a public hearing. The motion failed, Mary voting aye and Leslie and Kathy voting no.

* 10) M37-38-06: Mike recommended that the Board find this claim invalid because no land use regulations have been changed since the date of ownership which would reduce the

property value. He explained that the property was zoned VLDR-5 at the time of purchase in 1977 and the owners can apply at any time for a zone change to VLDR-2.5. John G stated that he would be comfortable defending a denial. The Board agreed to deny the request.

11) M37-39-06: Mike stated that there is some uncertainty regarding the ownership date for Measure 37 purposes. John G stated that because the 1970 sale contract was not notarized, the earliest date that could be used would be 1976, based on a 1980 application for special assessment going back to 1976. He suggested that Mike get a recommendation from the Assessor as to the actual date in 1976. Mary moved to hold a public hearing. The motion failed, Mary voting aye and Leslie and Kathy voting no. The Board agreed to table the item for a week.

* 12) M37-40-06: Mike recommended modifying, removing, or not applying the land use regulations back to the date of ownership. Mary moved to hold a public hearing. The motion failed, Mary voting aye and Leslie and Kathy voting no.

* 13) M37-41-06: Mike recommended modifying, removing, or not applying the land use regulations back to the date of ownership. Mary moved to hold a public hearing. The motion failed, Mary voting aye and Leslie and Kathy voting no.

The Board scheduled a work session for 1:00 p.m. on November 6, 2006 to discuss the establishment of a fee base for Measure 37 claims and other potential modifications to Ordinance 749.

* Franchise Renewal - Schedule a public hearing for December 6, 2006 to receive public comment regarding a ten-year franchise renewal for Western Oregon Waste. Sherrie explained that the franchise can be renewed every thirty months for ten years from that date.

Facilities - John K discussed an email from Murray Paolo regarding his preference for a new Information Services Building in the near future, rather than an interim solution such as moving into the CCF and Parks houses or a modular office unit. He reviewed how projections are made for Capital Improvement Fund balances and stated that there won't be a sufficient fund balance to construct a new building until fiscal year 2011-12. Laura reported that a new double-wide modular, which would provide four offices, would cost at least \$100,000 and a used one would cost at least \$50,000. John K stated that Murray will check the government surplus site, but the cost of upgrading the CCF and Parks houses would probably be substantially less than even a used modular. Mary suggested that the Facilities Committee make a formal recommendation to the Board before the end of the calendar year.

John G reported that an agreement has been reached to lease space in the Stark Building for the Law Library, HHS grant staff, and Emergency Manager staff, effective November 15, 2006.

He stated that the county will take possession of the top floor of the Spence Building as of December 31, 2006. He reviewed a proposal from Mr. White to leave some of his office furniture in exchange for a \$3325 credit against the past due rent and suggested that the Board

accept the proposal. The Board agreed to have him prepare the paperwork for the transaction.

* Interfund Loan - Approve a five-year interfund loan from Corner Restoration (Fund 27) to Capital Improvements (Fund 40) for local match funds for the HHS Evans Street Campus, \$268,000.

The meeting adjourned at 3:54 p.m.

Anne Britt
Secretary

Yamhill County

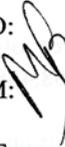
DEPARTMENT OF PLANNING AND DEVELOPMENT

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DATE: October 25, 2006

TO: Board of Commissioners

FROM:  Michael Brandt, Planning Director

RE: Measure 37 Applications

Attached please find thirteen Measure 37 applications that have been reviewed by this department. My recommendation for the respective applications is included with each staff report. The applications are as follows:

1. M37-68B-05, Thomas and Ellen Ann Currans, Jr.- To divide the 52 acre property into eight to ten, 2.5 to 4 acre lots and 20, one to two acre lots and to establish dwellings thereon. The applicant lists the loss of value at \$1,049,500.
2. M37-29-06, Golda Joann Bales - To divide the 23.81 acre property into one acre lots and to establish dwellings thereon. The applicant lists the loss of value at \$1,775,438.
3. M37-30-06, Ron and Karen Heinonen - To divide the 44 acre property into two lots and to establish dwellings on the vacant lots. The applicant lists the loss of value at \$100,000.
4. M37-31-06, High Heaven Timberlands, Inc. - To divide the 180.32 acre property into five lots of between 20 and 40 acres and to establish dwellings on the vacant lots. The applicant lists the loss of value at \$870,000.
5. M37-32-06, Richard and Barbara Horlyk - To divide the 20 acre property into three lots and to establish a dwelling on each vacant lot. The applicant lists the loss of value at \$100,000.
6. M37-33-06, Marvin and Joyce Astleford - To divide the 39.5 acre property into three lots of approximately three acres each and one lot of 28 acres and to establish a dwelling on each vacant lot. The applicant lists the loss of value at \$115,000.
7. M37-34-06, Dwight West - To divide the 51.52 acre property into three to five acre lots and to establish dwellings thereon. The request includes five to ten acres being reserved for commercial and/or light industrial development. The applicant lists the loss of value at \$3,000,000.

8. M37-35-06, Martin and Katherine Nicklous - To divide the 3.36 acre property into seven lots and to establish dwellings thereon. The applicant lists the loss of value at \$560,039.
9. M37-36-06, Robert and Karen Perez - To divide the 34.75 acre property into one to two acre lots and to establish a dwelling on each vacant lot. The applicant lists the loss of value at \$1,360,000.
10. M37-38-06, William and Sheryl Taylor - To be able to apply to change the zoning from VLDR-5 to VLDR-2.5 and to divide the property into two lots and to establish one additional dwelling. The applicant lists the loss of value at \$201,808.
11. M37-39-06, Charles M. and Gloria Dreske - To divide the 17.25 acre property into 2.5 acre lots and to establish a dwelling on each vacant lot. The applicant lists the loss of value at \$1,400,000.
12. M37-40-06, Donald and Donna King - To divide the 10 acre property into three lots and to establish a dwelling on each vacant lot. The applicant lists the loss of value at \$458,438.
13. M37-41-06, Doris Van Gordon - The divide the 2.23 acre property into two lots and to establish a dwelling on each vacant lot. The applicant lists the loss of value at \$100,000.

I am scheduled to review these applications with you on Monday, October 30, 2006. If you have any questions or need additional information, let me know.

