

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 March 17, 2010, at 9:00 a.m. in Room 32 of the Courthouse, Commissioners Kathy George, Mary P. Stern, and Leslie Lewis being present.

Also present were Laura Tschabold, County Administrator; Rick Sanai, Assistant County Counsel; Pat Anderson, Human Resources; John Phelan, Public Works Director; Bill Gille, County Engineer; Roy Panschow, Public Works; Hannah Hoffman, News-Register; and Kevin Jeffries, 2355 SW Peggy St, McMinnville.

Commissioner George 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 George, Stern, and Lewis voting aye.

Personnel

1. **B. O. 10-145** - Approve the employment of Clara Garcia as Nursing Assistant in HHS Public Health, regular full-time, Range 12, Step 4, effective March 24, 2010.

2. **B. O. 10-146** - Approve the employment of Peter Davis, Jr., and Deanne Comfort as HS Specialist 2 in HHS Family & Youth, regular full-time, Range 20, Step 1, effective April 5, 2010.

Biennial Plan

3. **B. O. 10-147** - Approve the 2011-13 Addictions & Mental Health Biennial Implementation Plan.

C. **OLD BUSINESS:** None.

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

1. **B. O. 10-148** - Consideration of the employment of Jim Carelle as Corrections Reserve in the Sheriff’s Office Patrol Division, Range 12, Step 4, effective March 19, 2010.

Ms. Stern moved approval of item D(1), pending clarification of the job classification title and department by Pat Anderson. The motion passed, Commissioners George, Stern, and Lewis voting aye.

2. **B. O. 10-149** - Consideration of the change of status of Linda Terrill to extend temporary part-time employment in HHS Public Health, retroactive to March 1, 2010, through December 31, 2010.

Ms. George moved approval of item D(2). The motion passed, Commissioners George, Stern, and Lewis voting aye.

3. **B. O. 10-150** - Consideration of modifying the HHS personnel management roster to add a full-time Data Analyst position in Business Services, Range 17.

Ms. George moved approval of item D(3). The motion passed, Commissioners George, Stern, and Lewis voting aye.

4. **B. O. 10-151** - Consideration of approval of the 2010 Proposed Maintenance Improvement Projects List for Public Works.

John Phelan stated that he has elected to budget a portion of the potential funds from HB 2001 in contingency. He said that if the bill is approved for ballot measure, he would come back to the Board in early July. He noted that the bidding environment is still very good right now, so he would like get the list out for bids as soon as possible. Roy Panschow reviewed the proposed list. Bill Gille stated that there will likely be enough money to include Stone Road in the projects for bidding.

Ms. Lewis moved approval of item D(4) with the modification to include Stone Road in the bids and have Benjamin Road, Green Acre Road, and De Jong Road as alternates. The motion passed, Commissioners George, Stern, and Lewis voting aye.

5. **B. O. 10-152** - Consideration of adoption of Resolution 10-3-17-1 regarding the siting of liquid natural gas (LNG) facilities and natural gas pipelines.

Ms. Stern reviewed the statements received from the LNG Advisory Committee. Ms. George stated that she had removed the statement about eminent domain from the draft resolution because this issue is different than situations such as shopping centers and she is concerned about the broadness of the idea. Ms. Lewis stated that she would not vote for the resolution if the eminent domain statement were included. She said that this is no different that other natural gas pipelines all over the state and she is very concerned about the Board taking a position against the ability to build transmission facilities. She stated that property owners have been paid full market value for their land and sometimes even still retain full use of the land.

After further discussion and modifications to the draft resolution, Ms. Stern moved approval of the resolution as modified. The motion passed, Commissioners George, Stern, and Lewis voting aye.

Kevin Jeffries, McMinnville City Councilor and campaign manager for Kris Bledsoe, stated

that he has helped draft several bills related to LNG. He expressed support of the resolution and said that it could be even tougher, since public entities already have the right of eminent domain. He said that the state has a process to go through before it will issue permits for pipelines to be built; however, Oregon LNG and Bradwood requested eminent domain from the Federal Energy Regulatory Commission (FERC) to acquire property and did not fulfill their responsibility to the state. He said that the state is now suing FERC for wrongfully preempting its authority. He said that the state of Oregon does not have a strong assessment of need and he is considering introducing another bill in the next session to strengthen that language.

He stated that LNG terminals will probably not be built in the next twenty years because domestic resources in North America are so abundant that only about 2% of its natural gas is imported. He explained that Oregon LNG and Bradwood are pursuing permits in order to have them in hand, but farmers and foresters have to disclose if their property is condemned before they can sell it, which can affect the property value.

Ms. Lewis stated that although public entities do have the right of eminent domain, they don't have the resources to invest in natural gas infrastructure and she wants to maintain the ability to have private companies with resources build the necessary infrastructure. She stated that eminent domain cannot be exercised until the processes for determining public need have been met, so protections are already in place. Ms. George stated that she doesn't want to encourage the use of eminent domain for frivolous purposes, but the county cannot presuppose that this natural gas will never be needed and there needs to be redundancy with the pipelines.

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 & Families, four alternate members;
 - b. Parks & Recreation Board, one position;
 - c. Planning Commission, one position;
 - d. Special Transportation Advisory Commission, one position.

The meeting adjourned at 10:16 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair KATHY GEORGE

Commissioner MARY P. STERN

Commissioner LESLIE LEWIS