

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/informal session on January 20, 2011, at 10:00 a.m. in Room 32 of the Courthouse, Commissioners Mary P. Stern, Leslie Lewis, and Kathy George being present.

Also present were Laura Tschabold, County Administrator; Chuck Vesper, Deputy County Administrator; Rick Sanai, County Counsel; Sherrie Mathison, Solid Waste Coordinator; Mike Brandt, Planning Director; Ken Huffer, Parks Coordinator; Hannah Hoffman, News-Register; Joseph Gall, 1156 SW Westvale St, McMinnville; and John J. Collins, 309 Main St, Dayton.

Commissioner Stern called the meeting to order.

SPECIAL PRESENTATION: Presentation of a community photograph by the Dayton Community Development Association.

John J. Collins, president of the Dayton Community Development Association, explained that the volunteer organization was formed about one and a half years ago to enhance the quality of life for Dayton residents. He stated that the association’s funding sources are diverse and every dollar is leveraged. He thanked the Board for its support and presented a framed poster. He reviewed activities that the group has been involved with and discussed a grant application for a feasibility study to establish a food center with a commercial kitchen. Ms. Stern stated that the Budget Committee would appreciate hearing an update from the association at its public hearing in May.

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.

Joseph Gall requested that the Board minutes from the November 22, 2010, formal session be corrected. He stated that his address is listed incorrectly and the minutes incorrectly state that his appeal from six years ago was against Scott Maytubby, when in fact David Lawson had been the assessor at that time. He also asked Ms. Stern to affirm a statement in the minutes about the commissioners having no supervisory control over other elected officials. She explained that the minutes are a summary of the conversation rather than an exact transcript, but the statement is accurate. She said that his address would be corrected in the minutes, and other corrections would be made as warranted after review.

Mr. Gall submitted an initiative to dismiss, prosecute, and disbar Rick Sanai and to prosecute and remove from office Scott Maytubby, Commissioner Stern, and others. He also submitted a collection of documents in support of the initiative and read the cover letter into the record.

B. AGENDA:

Personnel

1. **B. O. 11-24** - Consideration of the change of status of Brad Erland to Appraiser 1 in the Assessor's Office, Range 15, Step 3, retroactive to January 9, 2011.
2. **B. O. 11-25** - Consideration of the change of status of Christina Eastman to Extra Help in Dog Control, \$10/hour, retroactive to January 9, 2011.
3. **B. O. 11-26** - Consideration of the change of status of Paul Kushner to Program Manager 4 in Health & Human Services, Range 29, Step 7, retroactive to January 9, 2011.
4. **B. O. 11-27** - Consideration of the change of status of Margaret Jarmer to Program Manager 1 in Health & Human Services, Range 24, Step 7, retroactive to January 9, 2011.
5. **B. O. 11-28** - Consideration of amending the HHS position management roster to add one full-time HS Specialist 1 position in Family & Youth.

Ms. George moved approval of items B(1) through B(5). The motion passed, Commissioners Stern, Lewis, and George voting aye.

Contracts/Grants

6. **B. O. 11-29** - Consideration of ratifying approval of Amendment #10 to the 2009-10 Financial Assistance Agreement #128033 between HHS Public Health and Oregon Department of Human Services, retroactive to December 10, 2010.

Ms. George moved approval of item B(6). The motion passed, Commissioners Stern, Lewis, and George voting aye.

7. Consideration of ratifying approval of the following amendments to the 2009-11 Financial Assistance Agreement #127319 between HHS and Oregon Department of Human Services:

- a. **B. O. 11-30** - Amendment #32, retroactive to December 8, 2010;
- b. **B. O. 11-31** - Amendment #34, retroactive to December 17, 2010.

Ms. George moved approval of item B(7). The motion passed, Commissioners Stern, Lewis, and George voting aye.

8. **B. O. 11-32** - Consideration of approval of Service Element Prior Authorization (SEPA)

Approval Unit #514547 for the 2009-11 Financial Assistance Agreement #127319 between HHS and Oregon Department of Human Services, \$384.

Ms. George moved approval of item B(8), correcting the amount to \$366. The motion passed, Commissioners Stern, Lewis, and George voting aye. After further discussion, it was determined that \$384 was indeed the correct figure. Upon reconsideration of item B(8), Ms. George moved approval of the item with the amount of \$384. The motion passed, Commissioners Stern, Lewis, and George voting aye.

Committees

9. **B. O. 11-33** - Consideration of approval of the following changes to the Facilities Committee:

- a. Appoint Chuck Vesper, Deputy County Administrator;
- b. Designate Laura Tschabold as the chair;
- c. Remove John Krawczyk and Pat Anderson.

Ms. Stern moved approval of item B(9). The motion passed, Commissioners Stern, Lewis, and George voting aye.

10. **B. O. 11-34** - Consideration of approval of the reappointment of Robert Holveck, Mark A. Miller, and Hugh Sowers to the Yamhill County Health Board for four-year terms to expire February 1, 2015.

Ms. George moved approval of item B(10). The motion passed, Commissioners Stern, Lewis, and George voting aye.

11. **B. O. 11-35** - Consideration of the reappointment of Leah Griffith and Christine Holmgren to the Special Transportation Advisory Commission for three-year terms to expire December 31, 2013.

Ms. Lewis moved approval of item B(11). The motion passed, Commissioners Stern, Lewis, and George voting aye.

Trail System

12. Update on the Chehalem Heritage Trails Phase 1 Master Plan. *[No formal action taken.]*

Sherrie Mathison stated that she has been attending the meetings about the proposed trail, and the closed Newberg Landfill is still being considered for part of the trail system. She explained that certain things are allowed by DEQ on a landfill, but doing so would change the county's post-closure permit, which has been in place for almost 20 years. She stated that the county's liability would be affected and there could be increased maintenance costs, as the monitoring wells would have to be safeguarded. She agreed to gather more detailed information about the costs and liability risks associated with having the trail on the landfill. Ms. George expressed concern that fences around the wells could trap debris during flooding and cause the landfill to be eroded by swirling currents.

Ken Huffer pointed out that any changes in the county's use at Rogers Landing could jeopardize its grant funding from Oregon State Marine Board and require the county to reimburse grant funds already received. He stated that using Rogers Landing as a trail head would take parking away from boaters and therefore be considered a conversion of use. He said that he is unclear as to whether Rogers Landing is part of the proposal for the trail system. Ms. Mathison stated that the group had discussed the possibility at its January meeting.

Regarding the feedback survey from the project team about the proposed trail alignment, the Board agreed to indicate that the county is undecided and needs more information.

C. **OLD BUSINESS:** None.

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

1. **B. O. 11-36** - Consideration of approval of an agreement between the Surveyor's Office and Magness Land Surveying, Inc., provider, for surveying services north of Willamina, RFP #7, \$38,220

Ms. Lewis moved approval of item D(1). The motion passed, Commissioners Stern, Lewis, and George voting aye.

2. **B. O. 11-37** - Consideration of the change of status of Jeffrey Donahoo to Correction Officer in the Jail, effective January 24, 2011.

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

3. **B. O. 11-38** - Consideration of amending Board Order 10-770 to increase the payment authorized from the contingency fund for asbestos mitigation in the Juvenile Department from \$9545 to \$9845.

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

4. Discussion of a SDC funds request from the Fair Board for a PA system for the indoor arena and adjacent horse barns. *[No action taken at this time.]*

5. **B. O. 11-39** - Consideration of the appointment of Ashley Lee to the Special Transportation Advisory Commission for a three-year term to expire December 31, 2013.

Ms. Lewis moved approval of item D(5). The motion passed, Commissioners Stern, Lewis, and George voting aye.

6. Consideration of scheduling an executive session during informal session on January 24,

2011, to discuss legal issues regarding the Habitat Conservation Plan.

Ms. Stern stated that discussing the issues during executive session would be a better use of Rick Sanai's time than having him continue to speak with the commissioners individually. The Board agreed to schedule the executive session.

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 full members and three alternate members;

b. Parks & Recreation Board, one position;

c. Planning Commission, one position;

d. Mid-Willamette Valley Area Commission on Transportation (MWACT) , Private Sector position (first posted 10-21-10).

The meeting adjourned at 11:06 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY P. STERN

Commissioner LESLIE LEWIS

Commissioner KATHY GEORGE