

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 March 27, 2014, at 10:00 a.m. in Room 32 of the courthouse, Commissioners Mary P. Stern and Allen Springer being present and Commissioner Kathy George being excused.

Also present were Laura Tschabold, County Administrator; Chuck Vesper, Deputy County Administrator; Christian Boenisch, County Counsel; Todd Sadlo, Senior Assistant County Counsel; Scott Maytubby, Assessor; Nathalie Hardy, News-Register; Dave Adams, KLYC; David Beam, PO Box 970, Newberg; Joseph & Mrs. Gall, 1156 SW Westvale St, McMinnville; Brian Mara, 9965 SW Bayou Dr, McMinnville, Randy Settell, 9877 SW Bayou Dr, McMinnville; and Ken McGhehey, 9451 SW Bayou Dr, McMinnville.

Commissioner Stern called the meeting to order at 10:00 a.m.

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 stated that Christians are being persecuted all around the world, and activist groups here in the United States are attempting to subvert Christian rights embodied in the U.S. Constitution. He said that he had attempted to participate in the Board’s meeting the previous week, but the Board had denied his right to proffer a motion to prosecute those who are guilty of criminal acts. He stated that his petitions for redress of grievances have gone on for twelve years without a ruling in compliance with the oath to support constitutional law, and there is no compliance with God’s law, either. He shared Biblical references about rebuking sins and the lack of repentance leading to spiritual death.

B. **AGENDA:**

Resolution

1. Consideration of approval of Resolution 14-3-27-1 in support of the City of Newberg’s application for the Newberg Enterprise Zone. *[Tentatively approved, final resolution to be adopted April 3, 2014.]*

David Beam, Economic Development Planner, presented the City of Newberg’s request

along with background information about the project and outreach efforts that have been made to taxing districts and the business community. He stated that the enterprise zone focuses on traded-sector business, and the proposed boundaries are all within the city's urban growth boundary, with some being inside the city limits. He said that this program has been around since the 1980s, and the typical length of an enterprise zone authorization is 11 years, although that can be extended if it goes well. He said that businesses within the zone would have the option to apply to be part of the program or not.

Mr. Springer raised concerns about offering an extended period of property tax exemption to businesses bringing in higher-wage jobs. He said that it seems like a discriminatory advantage because some industries have higher wages than others, but their investment isn't necessarily greater just because of the higher wages. Mr. Beam explained that the program is set up by the state, and he is unsure whether the city could opt out of just that portion.

Scott Maytubby stated that he has no concerns about the proposal, and believes that the program could be good for attracting businesses. He said that the county hasn't been able to assess most of these properties in 20 years, so he would like to go out and establish that base for a starting point. He asked whether UGB property would need to be annexed into the city. Mr. Beam stated that it would not, although the city may encourage annexation for a big development or improvement, depending on the utility needs of the business.

Mr. Springer moved tentative approval of the request, with the final resolution to be adopted the following week. The motion passed, Commissioners Stern and Springer voting aye.

Minutes

2. Consideration of approval of the following formal/informal session minutes:
 - a. **B. O. 14-164** - February 6, 2014;
 - b. **B. O. 14-165** - February 13, 2014;
 - c. **B. O. 14-166** - February 20, 2014.

Mr. Springer moved approval of item B(2). The motion passed, Commissioners Stern and Springer voting aye.

Personnel

3. **B. O. 14-167** - Consideration of the employment of Brett Henry as Division Manager in Community Corrections Work Release and Parks, regular full-time, Range 24, Step 1, retroactive to March 24, 2014.

Mr. Springer moved approval of items B(3) through B(6). The motion passed, Commissioners Stern and Springer voting aye.

4. **B. O. 14-168** - Consideration of the employment of Kayla Anderson as Reserve Deputy in the Sheriff's Office Marine Patrol, temporary full-time, \$14/hour, effective April 27, 2014, through July 27, 2014.

5. **B. O. 14-169** - Consideration of the employment of Christa Brandenburg as HS Specialist 2 in HHS Adult Behavioral Health, Range 20, Step 3, effective April 9, 2014.

6. **B. O. 14-170** - Consideration of the change of status of Lindsey Manfrin from .90 to .95 FTE in HHS Community Health, retroactive to March 24, 2014.

Contracts/Grants

7. **B. O. 14-171** - Consideration of approval of a contract employment agreement between HHS Adult Behavioral Health and Kristy Seagren for clinical supervision services, \$50/hour, up to six hours per week, effective March 27, 2014, through December 31, 2014.

Mr. Springer moved approval of item B(7). The motion passed, Commissioners Stern and Springer voting aye.

8. **B. O. 14-172** - Consideration of approval of an amendment to Agreement #13-0732 between HHS Public Health, provider, and Washington County for the Cities Readiness Initiative program, increasing compensation by \$6000.

Mr. Springer moved approval of item B(8). The motion passed, Commissioners Stern and Springer voting aye.

9. **B. O. 14-173** - Consideration of authorizing Health & Human Services to apply for up to \$125,000 in grant funds from Oregon Health Authority for tobacco prevention, education, and policy development, effective April 15, 2014, through June 30, 2015.

Mr. Springer moved approval of item B(9). The motion passed, Commissioners Stern and Springer voting aye.

10. **B. O. 14-174** - Consideration of authorizing a notice of intent to award a contract to Haworth, Inc., for the Public Works vehicle washing station renovation project, \$89,000.

Todd Sadlo reviewed the proposals and scores. Mr. Springer moved approval of item B(10). The motion passed, Commissioners Stern and Springer voting aye.

11. Consideration of the following actions related to the Yamhelas Westsider Trail appraisal:
- a. **B. O. 14-175** - Authorize an additional \$5000 expenditure from the Landfill License Reserve Fund to appraise 1.1 additional miles of trail;
 - b. **B. O. 14-176** - Authorize the chair to sign a contract amendment with Integra Realty Resources for the additional appraisal services, for a total cost of \$21,000.

Ms. Tschabold explained that the original RFP did not include sufficient mileage, and although the additional trail segment is more expensive to appraise because of its complexity, the \$21,000 total is still less than the county had expected to spend on the appraisal. Mr. Springer moved approval of item B(11). The motion passed, Commissioners Stern and Springer voting aye.

Committees

12. **B. O. 14-177** - Consideration of the following reappointments to the Solid Waste Advisory Committee for three-year terms to expire March 27, 2017:

- a. Dave Larmouth;
- b. Kathleen Forrester-Iler;
- c. Jennifer Redmond-Noble.

Mr. Springer moved approval of item B(12). The motion passed, Commissioners Stern and Springer voting aye.

Budget

13. **B. O. 14-178** - Consideration of authorizing a replacement bank account at Key Bank for the Yamhill County Inmate Canteen Fund.

Ms. Stern moved approval of item B(13). The motion passed, Commissioners Stern and Springer voting aye.

C. **OLD BUSINESS:** None.

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

E. **PUBLIC HEARINGS:**

1. Receipt of public comment on the following proposed actions:

[No formal action taken at this time.]

- a. Acquisition of property adjacent to existing Bayou Drive near McMinnville;
- b. Public Works Docket RV-1-2014, a request to vacate a portion of Bayou Drive.

Ms. Stern opened the public hearing for both items.

Mr. Springer stated that he has been working for some time to address some difficult issues that have been ignored for a number of decades, such as cleaning up the parking lot and establishing a more reasonable access. He said that he had met with the neighbors and come up with this proposed solution, which would open up the throat of the access point by an additional four feet and help with congestion there. He pointed out the current situation is not in violation of any county ordinances, so it could remain as is, but he wanted to come up with a solution that worked for both parties.

Brian Mara read a statement from Jim Anderson in opposition to the proposed changes, stating that the right-of-way should not be changed until the roadways are completed, and the curb should be moved three or four feet to the north so it's not right on the roadway. He said that he concurs with Mr. Anderson's requests.

Mr. Springer explained that the scale of the map is 40:1, so the curb is actually three to four feet away from the travel lane. He stated that he understands the concerns that have been expressed, but they would have been much easier to address back when the group was looking at different configurations. He said that he has spent a lot of time on this issue and would like to

move forward with a solution now.

Randy Settell expressed appreciation for Mr. Springer’s efforts to get the right-of-way moved. He said that the overall proposal makes sense, and it sounds like the curb issue has been addressed, so he has no further comments.

Ms. Stern closed the public hearing. Christian Boenisch stated that he and Bill Gille had discussed whether the small triangular area just north of the proposed dedication should be vacated or retained to ensure visibility, but he isn’t sure what has been decided on that, or if it even makes a difference going forward. He reviewed the process for acquiring new right-of-way and said that he could have an agreement with the property owner ready the following week.

Ms. Stern reopened the public hearing. Ken McGhehey stated that the owner told him it wouldn’t be a problem to move the curb if needed, because he could easily move the parking area. Mr. Springer thanked him for the information. Ms. Stern closed the hearing. No further action was taken at this time.

F. ANNOUNCEMENTS:

1. For information on county advisory committee vacancies, please refer to our website, www.co.yamhill.or.us/content/volunteer-opportunities, or call the Board of Commissioners’ office: 503-434-7501 (from McMinnville) or 503-554-7801 (toll-free from Newberg).

The meeting adjourned at 11:05 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY P. STERN

Commissioner ALLEN SPRINGER

Commissioner KATHY GEORGE