

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 August 19, 2004 at 10:00 a.m. in Room 32 of the Courthouse, Commissioners Kathy George, Mary P. Stern, and Leslie Lewis being present.

Also present were Rick Sanai, Assistant County Counsel; Julia Staigers, Administrative Services Manager; Mike Brandt, Planning Director; Dyke Mace, Solid Waste Supervisor; Sherrie Mathison, Solid Waste Coordinator; George Duvendack, Riverbend Landfill District Manager; David Bates, News-Register; Sue Buel, 20625 SW Highway 18, McMinnville; Jack and Diane Trenhail, 17500 SW Oldsville Road, McMinnville; John Rossner, 18930 SW Bellevue Highway, McMinnville; and Clinton and Doris White, 20834 NW Baker Creek Road, McMinnville.

Commissioner George called the meeting to order.

A. **PUBLIC COMMENT:** This fifteen-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. 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. 04-567** - Approve the change of status of Kimberly Trumbo to on-call relief in Juvenile, retroactive to August 13, 2004.

Contracts

2. **B. O. 04-568** - Approve Amendment #2 to Contract #106470 between Public Health and Oregon Department of Human Services for purchase of services.

3. **B. O. 04-569** - Ratify the extension of a contract between the Planning Department and Ellen Minor for consultation services on solid waste issues, \$30/hour, retroactive to July 1, 2004.

4. **B. O. 04-570** - Ratify the approval of Contract #9743 between Yamhill County and Oregon Youth Authority for individualized services, not to exceed \$8847, retroactive to August 12, 2004 until June 30, 2005.

5. **B. O. 04-571** - Approve an agreement between Yamhill County and the Association of O&C Counties for web services, effective until November 6, 2006.

6. **B. O. 04-572** - Approve a personal services agreement between Public Works and OBEC Consulting Engineers for the preparation of a transportation enhancement grant application regarding Old Sheridan Road, not to exceed \$6900, effective August 19, 2004.

Grants

7. **B. O. 04-573** - Approve a grant agreement between Yamhill County and ODOT for a pupil/public transportation feasibility study, \$44,865, effective until June 30, 2005.

C. **OLD BUSINESS:**

1. **B. O. 04-574** - Consideration of adoption of findings in support of Planning Docket PAZ-05-03, a request for a Comprehensive Plan amendment from AFLH to Quarry; a zone change from EF-80 to MR-2 for approximately 169 acres, applicant C.C. Meisel, as tentatively approved on July 22, 2004 and continued from August 12, 2004.

Rick Sanai provided the first and second readings by title only, declaring and emergency.

Ms. Lewis moved to adopt findings in support of Planning Docket PAZ-05-03. The motion passed, Commissioners George, Stern, and Lewis voting aye.

2. **B. O. 04-575** - Consideration of ratification of the YCEA agreement.

Ms. Lewis moved to ratify the Yamhill County Employees Association agreement. The motion passed, Commissioners George, Stern, and Lewis voting aye. Ms. George thanked everybody who worked so hard to reach and agreement.

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

1. **B. O. 04-576** - Consideration of approval of Resolution 04-08-19-1 in support of Tillamook County's opposition of Ballot Measure 34, known as the 50-50 Plan.

The Board considered this item following a brief recess after the public hearings. After some discussion of the revised resolution and suggestions for changes, the Board came to a consensus on the wording of the resolution. Ms. Lewis moved approval of Resolution 04-08-19-1, as modified by their discussion. The motion passed, Commissioners George, Stern, and Lewis voting aye.

2. **B. O. 04-577** - Consideration of adoption of Ordinance 744, amending Ordinance 646 to allow the exemption of liquid asphalt from the competitive bidding process.

Mr. Sanai provided the first and second readings of Ordinance 744 by title only.

Ms. Lewis moved approval of Ordinance 744. The motion passed, Commissioners George, Stern, and Lewis voting aye.

3. **B. O. 04-578** - Consideration of approval of the revised Yamhill County Public Transportation Action Plan, as prepared by the Mid-Willamette Valley Council of Governments.

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

Ms. Lewis stated that the Transportation Committee is prepared to go to each city council to ask for their support to join an ORS 451 district, and to solicit input regarding the makeup of an advisory committee and a name for the district. The Board agreed to the idea of a naming contest. Ms. George expressed her thanks to the committee for their hard work.

4. **B. O. 04-579** - Consideration of approval of Amendment #2 to the LPHA Financial Assistance Contract #109355 between Public Health and Oregon Department of Human Services for additional funding.

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

E. **PUBLIC HEARINGS:**

1. Consideration of Planning Docket SP-01-04, a billboard request, applicant Media Art, Inc. *[Tentatively denied; findings to be adopted September 2, 2004.]*

Ms. George opened the public hearing at the point of staff recommendation.

Staff Recommendation - Mike Brandt recommended denial of the application.

Ms. George closed the public hearing. Ms. Lewis moved to uphold the planning director's denial of Planning Docket SP-01-04, with findings to be adopted September 2, 2004. The motion passed, Commissioners George, Stern, and Lewis voting aye.

2. Consideration of Planning Docket SP-02-04, a billboard request, applicant Media Art, Inc. *[Tentatively denied; findings to be adopted September 2, 2004.]*

Ms. George opened the public hearing at the point of staff recommendation.

Staff Recommendation - Mike Brandt recommended denial of the application.

Ms. George closed the public hearing. Ms. Lewis moved to uphold the planning director's denial of Planning Docket SP-02-04, with findings to be adopted September 2, 2004. The motion passed, Commissioners George, Stern, and Lewis voting aye.

3. **B. O. 04-580** - Receipt of public comment on Riverbend Landfill's five-year service review. *[Review accepted.]*

Sherrie Mathison stated that the agreement with Riverbend Landfill requires a service review every five years to determine if they are compliant with all regulations and to review any public

complaints. She said a letter from DEQ stated that Riverbend is in full compliance, and the only complaints were received two months after the last five-year review, dealing with odor and noise, which were resolved at the time. She stated that there were two late payments as a result of a change in Riverbend's payment method, but that issue has also been resolved. She reported that the Solid Waste Advisory Committee looked over the review and toured the facility, and they had no complaints.

No public comment was given. George Duvendack thanked the Board for reviewing the document.

Ms. George moved to accept the five-year service review as presented by the Solid Waste Department. The motion passed, Commissioners George, Stern, and Lewis voting aye.

The Board recessed at 10:25 a.m. to allow Ms. Lewis to review Resolution 04-08-19-1. The meeting reconvened at 10:33 a.m.

F. ANNOUNCEMENTS:

1. A position is available on the Yamhill County Budget Committee. Contact the Commissioners' Office for applications.
2. Due to the temporary loss of staff, the Planning Department will be closed to the public from noon to 5:00 p.m. on Wednesdays from August 25, 2004 through the end of October 2004.
3. The Local Contract Review Board will be meeting on Tuesday, August 24, 2004 at 9:45 a.m. in Room 108 of the Yamhill County Courthouse to consider the exemption from competitive bidding of electrical contracts for the remodel of the Moore Building.

NOTICE: There has been some confusion as to whether the findings in Planning Docket G-03-04 are to be considered for adoption August 26, 2004 or September 2, 2004. This notice is to clarify that the findings will be considered September 2, 2004.

Adjourn: 10:47 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair KATHY GEORGE

Commissioner MARY P. STERN

Commissioner LESLIE LEWIS