

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 September 2, 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 John Gray, Jr., County Counsel; Rick Sanai, Assistant County Counsel; John Krawczyk, Director of Administrative Services; and Mike Brandt, Planning Director.

Commissioner George called the meeting to order at 10:07 a.m.

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.

John Gray announced the memorial service for Jim “Pete” Peterson and stated that he was a great friend and a good guy.

Ms. George announced the passing of Judge Hitchcock and stated that he was a highly respected judge and member of the community and will be missed. She welcomed Carol Jones, who was appointed to fill the vacant position.

B. **CONSENT AGENDA:** Ms. Stern moved approval of the consent agenda, with a correction on item #2 to Heavy Equipment Operator. The motion passed, Commissioners George, Stern, and Lewis voting aye.

Personnel

1. **B. O. 04-602** - Approve the change of status of Michelle Morrison to increase regular part-time hours in the Juvenile Department, retroactive to August 25, 2004.

2. **B. O. 04-603** - Approve the change of status of Clifford Gillette to Heavy Equipment Operator in Public Works, regular full-time, Range 15, Step 2, \$2637/month, retroactive to August 25, 2004.

3. **B. O. 04-604** - Approve the change of status of Steve Hunter to Corrections Reserve in the Jail, part-time on-call, retroactive to August 25, 2004.

Contracts

4. **B. O. 04-605** - Approve a Memorandum of Agreement between Yamhill County and Yamhill County Employee's Association to offer two personal holidays to YCEA employees required to work the day after Thanksgiving Day and Christmas Eve.
5. **B. O. 04-606** - Approve a personal services agreement between Public Works and PBS Engineering and Environmental for consultation services on Old RR Grade Road, not to exceed \$15,300, effective September 2, 2004.
6. **B. O. 04-607** - Approve a Modification of Agreement between Information Services and Oregon Air Net for the use of communications towers at the County Courthouse and on Mountaintop Road, effective September 2, 2004.
7. **B. O. 04-608** - Approve an agreement between CCF and Head Start of Yamhill County for Child Care Collaboration services, \$13,200, retroactive to July 1, 2004 until June 30, 2005.

Grants

8. **B. O. 04-609** - Approve a grant agreement between the Juvenile Department and Oregon State Police for Peer Court and Juvenile Drug Court programs, \$46,215, retroactive to July 1, 2004 until June 30, 2005.
9. **B. O. 04-610** - Approve a grant agreement between the Juvenile Department and McMinnville Police Department for Peer Court services, \$23,107, retroactive to July 1, 2004 until June 30, 2005.
10. **B. O. 04-611** - Approve Amendment #2 to extend a grant agreement between Yamhill County and Mid-Willamette Valley Council of Governments until August 31, 2004.

Community Progress Team

11. **B. O. 04-612** - Recognize the Dayton Code 1 as CCF's Community Progress Team for Dayton and allocate \$10,264 for community development, retroactive to July 1, 2004.

Fee

12. **B. O. 04-613** - Authorize the Community Corrections Department to establish a Compact fee for outgoing applications, \$100.

Insurance

13. **B. O. 04-614** - Approve the termination of the county's Life/AD&D insurance contract with City County Insurance Services, effective September 30, 2004.

C. **OLD BUSINESS:**

1. **B. O. 04-615** - Consideration of adoption of findings for denial of Planning Docket SP-01-04, a billboard request, applicant Media Art, as tentatively denied August 19, 2004.

Ms. Lewis moved to adopt the findings. The motion carried, Commissioners George, Stern, and Lewis voting aye.

2. **B. O. 04-616** - Consideration of adoption of findings for denial of Planning Docket SP-02-04, a billboard request, applicant Media Art, as tentatively denied August 19, 2004.

Ms. Stern moved to adopt the findings. The motion carried, Commissioners George, Stern, and Lewis voting aye.

3. **B. O. 04-617** - Consideration of adoption of findings in support of Planning Docket G-03-04, amendments and updates to the Yamhill County Zoning Ordinance, as tentatively approved August 12, 2004.

Rick Sanai provided the first and second readings of Ordinance 746 by title only, declaring an emergency. Ms. Lewis moved approval of the ordinance. The motion carried, Commissioners George, Stern, and Lewis voting aye.

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

1. Consideration of two contract amendments between Public Works and OBEC Consulting Engineers for the following bridge projects:

- a. **B. O. 04-618** - Baker Creek Road Bridge #11540A;
- b. **B. O. 04-619** - Willamina Creek Road Bridge #01751A.

Ms. Lewis moved approval of the Baker Creek Road Bridge contract amendment. The motion carried, Commissioners George, Stern, and Lewis voting aye.

Ms. Lewis moved approval of the Willamina Creek Road Bridge contract amendment. The motion carried, Commissioners George, Stern, and Lewis voting aye.

2. **B. O. 04-620** - Consideration of a contract between Public Works and Geo Design, Inc. for consulting services regarding roads on Grand Island, \$7750.

John Gray stated that although he doesn't like the attorney fee-shifting provision in the contract, he is not worried about it because of the low dollar amount of the contract.

Ms. Lewis moved approval of the contract with Geo Design, Inc. The motion carried, Commissioners George, Stern, and Lewis voting aye.

3. **B. O. 04-621** - Consideration of bids for doors and windows for the Moore building. *[Both bids rejected as non-compliant.]*

Mr. Gray stated that after discussing the issue with Brian Dunn and John Krawczyk, they agreed to recommend rejecting both of the received bids because they excluded work required in the bid specifications. He stated that the bid options will be adjusted to try to attract more bids.

Ms. Stern moved to reject both bids as non-compliant. The motion carried, Commissioners George, Stern, and Lewis voting aye.

4. **B. O. 04-622** - Consideration of ratification of the approval of a performance bond and agreement between Yamhill County and Jeffrey Smith as principal for Oakridge Development for road improvements in the Calista Estates Subdivison.

Ms. Lewis moved to ratify the approval of the performance bond and agreement. The motion carried, Commissioners George, Stern, and Lewis voting aye.

Ms. Stern explained that she voted against the agreement at Tuesday's informal session because she didn't want to set a precedent of going against the procedures ordinance, which requires contracts to be approved at formal sessions.

Ms. Lewis stated that it is incumbent on the county to be customer service oriented, especially since exceptions are made internally for the sake of convenience. She said in this case, the contractor needed to get the agreement signed as quickly as possible.

Ms. George suggested looking into modifying the procedures ordinance. Mr. Gray explained that record-keeping is an important reason for the ordinance requirements, and he stated that the ordinance allows the county to do emergency hires. He said that to his knowledge, the county has always followed the procedures. Ms. Lewis disagreed.

5. **B. O. 04-623** - Consideration of authorization of the private sale of county surplus Tax Lot R3209-03790 to Mr. and Mrs. Charles Stone for \$108 plus a \$75 deed preparation fee plus recording fees.

Following the close of the public hearing, Ms. Stern moved to authorize the sale. The motion carried, Commissioners George, Stern, and Lewis voting aye.

E. **PUBLIC HEARINGS:**

1. Receipt of public comment regarding the private sale of county surplus Tax Lot R3209-03790.

Ms. George opened the public hearing.

Mr. Gray provided the background of the property and stated that it has now been deeded over to the county. He said the Board has the authority to sell the property to adjoining property

owners, Mr. and Mrs. Stone, who have been maintaining it as part of their yard anyway.

There being no public comment, Ms. George closed the public hearing.

F. ANNOUNCEMENTS:

1. A position is available on the Yamhill County Budget Committee. Contact the Commissioners' Office for applications. The application period will close on September 30, 2004
2. Three positions are available in the Commission on Children and Families. Contact the Commissioners' Office for applications.
3. 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 through the end of October 2004.
4. Today is the 15th anniversary celebration for the FCI Sheridan prison and the 11th anniversary of the riot there.

Adjourn: 10:43 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair KATHY GEORGE

Commissioner MARY P. STERN

Commissioner LESLIE LEWIS