

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 9, 2004 at 10:00 a.m. in Room 108 of the Courthouse, Commissioners Kathy George, Mary P. Stern, and Leslie Lewis being present.

Also present were Rick Sanai, Assistant County Counsel; John Krawczyk, Director of Administrative Services; Dan Linscheid, Surveyor; and Mike Brandt, Planning Director. Joining the meeting in progress were John Gray, County Counsel; Ron Huber, Lieutenant; Jack Crabtree, Sheriff; Kellye Fetters, Sheriff’s Office Manager; and Steve Mikami, Personnel Officer.

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

Minutes

1. Approve the following formal session minutes:
 - a. **B. O. 04-627** - July 29, 2004;
 - b. **B. O. 04-628** - August 19, 2004.

Personnel

2. **B. O. 04-629** - Approve the employment of Lovetta Dill, McMinnville, as HS Associate in Chemical Dependency, regular part-time, Range 14, Step 1, \$13.73/hour, effective September 16, 2004.

3. **B. O. 04-630** - Approve the employment of Travis Van Cleave as Office Specialist 2 in the District Attorney’s Office, temporary full-time, Range 7, Step 3, retroactive to September 2, 2004 until December 31, 2004.

Contracts

4. **B. O. 04-631** - Approve an agreement between the Commission on Children and Families and Sheridan School District for Youth Investment Services, \$9000, retroactive to July 1, 2004 until June 30, 2005.

5. **B. O. 04-632** - Approve an agreement between the Commission on Children and Families and Juliette's House for the Safe Kids program, \$9900, retroactive to July 1, 2004 until June 30, 2005.

6. **B. O. 04-633** - Approve Amendment #27 to extend an agreement between Adult Mental Health and Mid-Valley Behavioral Care Network for the EAST program.

Grants

7. **B. O. 04-634** - Authorize Yamhill County to apply for \$98,226 in Federal Transportation Administration Section 5309 earmarked funds for purchase and installation of bus shelters, and designate Laura Tschabold as the Grantee Designated Official for all online entries regarding the application and receipt of funds.

8. **B. O. 04-635** - Authorize HHS to apply for a March of Dimes grant for the Oregon Mothers Care program, \$15,000.

9. **B. O. 04-636** - Authorize HHS to apply for a Public Health Services Rural Outreach grant in partnership with the Virginia Garcia Medical Clinic for mental health services, \$200,000/year for three years.

Transfer of Funds

10. **B. O. 04-637** - Approve the transfer of funds and authorization for the Juvenile Detention Remodel:

From	10-92-950.01	Contingency	\$100,000
To	10-74-820.07	Remodel	\$100,000.

11. **B. O. 04-638** - Approve an interfund loan from the Self-Insurance Fund (10-80) to the General Fund (10-74) for the Juvenile Detention Remodel, \$350,000.

Road Vacation

12. **B. O. 04-639** - Amend B.O. 04-157 relating to the reservation of easements in the vacation of a portion of Fairview Street near Sheridan.

Refunds

13. **B. O. 04-640** - Authorize the refund of \$403.68 from the Planning Department to Paul Mosunic.

14. **B. O. 04-641** - Approve the settlement of Oregon Tax Court, Magistrate Division Case #030248E, Newberg Village Apartments, Ltd.

Committee

15. **B. O. 04-642** - Appoint Ida Jean Kinman to the Housing Authority of Yamhill County Board to fill the unexpired term of Marlon Ayers, ending January 1, 2006.

C. **OLD BUSINESS:** None.

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

1. **B. O. 04-643** - Consideration of granting position authority to the Sheriff's Office for a Records Clerk, .49 FTE.

John Krawczyk stated that the Sheriff's Office has adequate resources in their budget to cover the position. Ms. George moved to grant the position authority to the Sheriff's Office. The motion passed, Commissioners George, Stern, and Lewis voting aye.

2. **B. O. 04-644** - Consideration of authorizing the Chair to execute a contract between the Sheriff's Office and Dr. David Zachary for dental services in the Jail, contingent upon approval by County Counsel.

Ms. George moved to approve the authorization. The motion passed, Commissioners George, Stern, and Lewis voting aye.

3. **B. O. 04-645** - Consideration of approval of Resolution 04-9-9-1 in support of a joint application with the City of McMinnville for an ODOT Transportation Enhancement Grant for Old Sheridan Road.

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

4. **B. O. 04-646** - Consideration of the employment of Kevin Brooks, McMinnville, as HS Specialist 2 in Adult Mental Health, regular part-time, Range 20, Step 3, effective September 20, 2004.

Ms. Stern moved to approve the employment of Kevin Brooks. The motion passed, Commissioners George, Stern, and Lewis voting aye.

5. **B. O. 04-647** - Consideration of the approval of a temporary No Through Trucks limitation on Donnelly Lane.

Ms. Lewis explained that Donnelly Lane was damaged by truck traffic due to an earlier detour around Baker Creek Road Bridge. She said the road was repaired this summer but needs more time to cure. She stated that the limitation would be removed upon approval by the Public Works Director.

Ms. Lewis moved approval of the temporary No Through Trucks limitation on Donnelly Lane. The motion passed, Commissioners George, Stern, and Lewis voting aye.

6. Consideration of a policy adopting a late fee for employee time sheets. *[No action taken.]*

Ms. George suggested adding a \$50 fee for late submission of termination notices, as

discussed in Tuesday's informal session. The Board agreed to the additional fee and decided to postpone adoption of the policy to allow feedback from department heads.

7. **B. O. 04-648** - Consideration of authorizing the Chair to execute an agreement between Yamhill County and Kathy Blaustein to perform services as part of a syndromic surveillance grant, contingent upon approval by County Counsel.

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

8. **B. O. 04-649** - Consideration of approval of Amendment #26 to the 2003-05 County Financial Assistance Contract #36-001 between HHS and Oregon Department of Human Services to add grant money for Oregon Children's Plan.

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

9. Discussion of a grant application to National Oceanic Atmospheric Administration (NOAA). *[No action taken.]*

Ms. Stern stated that although Tim Stieber's original timeline for the grant submission was for next fall, NOAA has encouraged him to apply this year as well in order to receive detailed comments which would help him fine-tune next year's application. She stated that there would be less than 20% chance of approval this year, but if it were approved, the grant would fund design work and wouldn't require a commitment to proceed any further.

Commissioners George and Lewis both expressed a desire to gather more information and study the issues before supporting the application. Ms. George was concerned about potential consequences to residents along Baker Creek if threatened species of migratory fish begin moving upstream. Ms. Lewis emphasized the need to have independent experts evaluate the dam and to explore other options. Ms. Stern stated that the structural integrity of the dam and the health of the creek below the dam are important concerns to address. Ms. George expressed her appreciation for Mr. Stieber's enthusiasm and desire to do something of great value for the community.

10. Discussion of the impact of Hammer vs. Clackamas County. *[No action taken.]*

Rick Sanai stated that because of the controversial decision in Hammer vs. Clackamas County, counties must now go through a notification process with plat recording that was previously only done with land use decisions. He stated that this process will be expensive and quite burdensome to county staff, and creates an enormous procedural hassle that won't accomplish anything for anybody.

After much discussion, the Board instructed Mr. Sanai to: (1) work with Planning and Surveyor Departments and draft an ordinance to increase their fees; and (2) talk with Mr. Gray and local cities about an intergovernmental agreement to indemnify and defend any legal challenge to Mr. Linscheid and to provide Mr. Linscheid with all necessary assistance in notification

requirements.

E. **PUBLIC HEARINGS:** None.

F. **ANNOUNCEMENTS:**

1. A position is available on the Yamhill County Budget Committee. Contact the Commissioners' Office for applications. The application period will close September 30, 2004.

2. Three positions are available in the Commission on Children and Families. Contact the Commissioners' Office for applications.

The meeting recessed at 11:11 a.m. and reconvened at 12:00 p.m. The meeting recessed again at 12:00 p.m. and reconvened at 1:04 p.m.

Ms. George recessed to executive session at 1:09 p.m. pursuant to ORS 192.660(2)(d) for the purpose of receiving a report on labor negotiations.

The formal session reconvened at 3:10 p.m., the Board having received a report from Mr. Gray that mediation with the Sheriff's Office bargaining unit was unsuccessful.

Adjourn: 3:12 p.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair KATHY GEORGE

Commissioner MARY P. STERN

Commissioner LESLIE LEWIS