

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 January 6, 2005 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 M. Gray, Jr., County Counsel; Rick Sanai, Assistant County Counsel; Bill Gille, Public Works Director; David Bates, News-Register; and Chan Mendenhall, 15500 Willamina 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. **B. O. 05-01 - BOC AREAS OF RESPONSIBILITY:** Consideration of approval of the assignment of liaison responsibilities for 2005, with Mary P. Stern serving as Chair.

Kathy noted that Dog Control needs to be added to Ms. Stern's list of liaison responsibilities. Ms. Lewis moved approval of the 2005 assignments with the suggested addition, naming Commissioner Stern as Chair for the year. The motion passed, Commissioners George, Stern, and Lewis voting aye.

The Commissioners each expressed their appreciation for being able to work with the Board and their liaison departments. Commissioners Stern and George switched seats. Ms. Stern called for a moment of silence in honor of those affected by the recent tsunami.

C. **CONSENT AGENDA:** John Gray suggested removing item #8 from the consent agenda due to an issue under investigation regarding the building's tax exempt status. Ms. George moved approval of the consent agenda with the removal of item #8. The motion passed, Commissioners Stern, Lewis, and George voting aye.

Minutes

1. **B. O. 05-02** - Approve formal session minutes from November 4, 2004.

Personnel

2. **B. O. 05-03** - Approve the employment of Laura Opre, Portland, as HS Associate in HHS, regular full-time, Range 14, Step 1, \$2391/month, effective January 9, 2005.

3. **B. O. 05-04** - Ratify the emergency hire of Debra Bridges, Newberg, as Crime Victims Director in the District Attorney's Office, regular full-time, Range 19, Step 2, retroactive to January 3, 2005.
4. **B. O. 05-05** - Approve the change of status of Shelley Clift to extend temporary part-time employment in Public Health to June 30, 2005.
5. **B. O. 05-06** - Approve the change of status of Norm Costa to increase regular part-time hours in Public Health, retroactive to January 3, 2005.

Contracts

6. **B. O. 05-07** - Approve Amendment #1 to Contract #4600004639 between HHS and Multnomah County Health Department for HIV counseling and crisis intervention services, effective January 6, 2005.
7. **B. O. 05-08** - Approve an agreement between Yamhill County and Robert McNamee for Employee Assistance Program (EAP) counseling services, \$750/month, effective February 1, 2005 until December 31, 2005.
8. **Tabled** - Approve the five-year renewal of a lease agreement between HHS and Donna Holden for a portion of the commercial building located at 2251 E. Hancock Street, Suite 104, Newberg, retroactive to January 1, 2005.

Road Vacation

9. **B. O. 05-09** - Approve Public Works Docket RV-7-2004, a request for vacation of a portion of Apple Street in Whiteson, applicant Ish Duckett, et al, no public hearing necessary under ORS 368.351.

Fees

10. **B. O. 05-10** - Approve the Health and Human Services Fee Policy as updated January 4, 2005, effective January 10, 2005.

C. OLD BUSINESS:

1. **B. O. 05-11** - Consideration of adoption of Ordinance 753, rescinding Ordinance 738 in support of Planning Docket PA-01-04 to adopt modified urban growth boundaries as agreed to by all parties in mediation, applicant Evergreen Aviation.

Rick Sanai provided the first and second readings of Ordinance 753 by title only, declaring an emergency. Ms. Lewis moved approval of the ordinance. The motion passed, Commissioners Stern, Lewis, and George voting aye.

Ms. Lewis stated that Yamhill County is getting nationwide, if not worldwide, attention for the quality of Evergreen Aviation Museum. Ms. George expressed appreciation for the extra effort made by Evergreen to give youth the opportunity to succeed.

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

1. **B. O. 05-12** - Consideration of increasing the Treasurer's Office change fund from \$300 to \$600.

Ms. Stern stated that Nancy Reed had spoken with Julia Staigers and found no problem with the auditor in increasing the change fund. Ms. Lewis moved approval of the increase. The motion passed, Commissioners Stern, Lewis, and George voting aye.

3. **B. O. 05-13** - Consideration of authorizing Chemical Dependency to apply for a federal grant for treatment of adults with meth addiction in rural areas, approximately \$450,000/year for up to three years.

Ms. George moved to authorize the grant application. The motion passed, Commissioners Stern, Lewis, and George voting aye.

4. **B. O. 05-14** - Consideration of authorizing the Board to sign an inmate housing agreement between the Jail and Jackson County for at least 15 bed rentals, \$55/day per bed, contingent upon approval by County Counsel.

John Gray stated that he hasn't received the final draft of the contract back from Jackson County yet, but the Jail is anxious to get this revenue source started.

Ms. Stern moved to authorize the Board to sign the agreement, contingent upon approval by County Counsel. The motion passed, Commissioners Stern, Lewis, and George voting aye.

E. **PUBLIC HEARINGS:**

1. Receipt of public comment on legalization of portions of Baker Creek/Hill Roads. [*Tentatively approved, findings to be adopted January 13, 2005.*]

Mr. Gray reviewed the legalization process provided for in state statutes, along with the three reasons to begin such a process. He said that the purpose is to make the official county records match where the road is currently located. He stated that neither he nor Bill Gille has received any information controverting the legalization of these portions of Baker Creek and Hill Roads.

Bill Gille stated that all notice requirements have been fulfilled. He explained that in replacing Baker Creek Road Bridge, he plans to change the curve of Baker Creek Road slightly and straighten the intersection of Baker Creek Road and Hill Road.

Ms. Stern opened the public hearing. There being no public comment, the hearing was closed.

Ms. Lewis stated that the roads have been used in their current location for more than ten years and there has been no dissenting testimony. She moved to tentatively approve the legalization, with findings to be adopted January 13, 2005. The motion passed, Commissioners Stern, Lewis, and George voting aye.

2. Receipt of public comment on legalization of portions of Willamina Creek Road. *[Tentatively approved, findings to be adopted January 13, 2005.]*

Mr. Gille stated that there is quite a gap between the old road dedication and the current road. He said that public informational meetings were held regarding both road legalizations and no controverting comments were received. He noted that Chan Mendenhall had provided some helpful details of the area that weren't on the map.

Ms. Stern opened the public hearing.

Mr. Mendenhall stated that he had been worried about the new road height in front of his shop, but he has discussed the issue with Mr. Gille and is satisfied with the plans.

Ms. Stern closed the public hearing.

Ms. Lewis moved tentative approval of the legalization, with findings to be adopted January 13, 2005. The motion passed, Commissioners Stern, Lewis, and George voting aye.

3. Consideration of transfer of jurisdiction over a portion of Fernwood Road to the city of Newberg. *[Tentatively approved, findings to be adopted January 13, 2005.]*

Mr. Gray provided background information about the transfer request and stated that all notice requirements have been fulfilled. He explained that if the Board determines the transfer to be necessary, expedient, or in the best interest of the county, their action will constitute a formal offer to the city of Newberg.

Mr. Gille stated that the city has assumed responsibility for the road as part of a settlement, and has had to close the road twice for different reasons, causing some controversy in the community. Mr. Gray stated that given the ongoing development in the area, he sees little chance of the city closing or inhibiting traffic on the road. He said that it makes sense for it to be a city road, now that the area is more urban than rural.

Ms. Stern opened the public hearing. There being no public comment, the hearing was closed.

Mr. Gille stated that the city's Transportation Systems Plan shows the road continuing to Corral Creek and there is nothing to indicate any plans to close it off into a culdesac. Ms. George stated that she feels a responsibility to communities in the rural areas out there and would like to maintain some protection over the road. Ms. Lewis stated that as a matter of policy, the county should turn over jurisdiction when cities grow around the roads because those residents often want different amenities than what the county provides. She added that even if the city did make plans to close the road, the county would have a chance to weigh in on the decision.

Ms. Lewis moved tentative approval of the transfer of jurisdiction, with findings to be adopted January 13, 2005. The motion passed, Commissioners Stern, Lewis, and George voting aye.

F. **ANNOUNCEMENTS:**

1. The following positions are open to the public. Contact the Commissioners' Office for applications.

- a. Commission on Children and Families, two positions;
- b. Parks Board, one position;
- c. Food Service Advisory Committee, six positions in various categories.

2. Flu shots are now available with no restrictions at the Public Health Department on Tuesdays and Thursdays.

Adjourn: 11:15 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY P. STERN

Commissioner LESLIE LEWIS

Commissioner KATHY GEORGE