

INFORMAL MINUTES

February 14, 2005 2:00 p.m.

Room 108, Courthouse

PRESENT: Commissioners Mary P. Stern, Leslie Lewis, and Kathy George.

Staff: John M. Gray, Jr., John Krawczyk, Steve Mikami, Chris Johnson, Mike Brandt, and Ron Huber.

Guests: David Bates, News-Register and Agnes Balassa, Enterprise.

* indicates item forwarded to formal agenda

Mary called the meeting to order.

* Personnel - Steve presented personnel requests from various departments. See agenda for details.

* Contracts - See agenda for details.

* Transfer of Property - Authorize a formal offer to transfer county property to the City of Lafayette, effective February 16, 2005 until March 31, 2005.

* Committees - See agenda for Local Public Safety Coordinating Council appointments.

Linda McMahon Review - Mary noted that the review was sent to Kathy to complete as chair of the Extension Service District (ESD), but Kathy would appreciate input from the other Commissioners. John G suggested that the next time the county renews its agreement with ESD, the Board look at the administrative fees and consider doing the work themselves to save money.

Personal Liability - Mary discussed a letter from the Association of Oregon Counties regarding personal liability exposure for elected officials. John G said he has already asked Barbara to send copies of the letter to each of the county's elected officials.

Contribution Request - Mary presented a request from the Northwest Korean Culture Society for a \$2000 contribution to help sponsor the Chusok Festival. She said she doesn't think the county has the money. John K said that economic development funds couldn't be used for this since it is an educational program, but they could be used if the county decides to host the delegation.

Courthouse Campus Security - John K discussed several methods of charging departments for security costs. He said that if the existing rate were raised by 20 cents/square foot per year, he would have to eliminate the \$12,500 transfer from the general fund to Courthouse Security and redistribute that amount among the departments, which would probably not be worth the trouble. He said that charging \$100 per panic button doesn't raise enough money to make it worth it, since there are only 16 panic buttons located outside of HHS and the courts. He recommended leaving the fees as they are and granting some one-time money to help Court Security get back on its feet. He also suggested charging a fee to the non-general fund departments, which would only affect a small

number of people. The Board agreed to keep the existing fees the same.

Leslie pointed out that the decreasing fines revenue from the courts has affected this budget. Mary said she has a meeting scheduled soon with Judge Collins in which she could bring up the subject. John K suggested she talk to Phil McCollister first because he may have already spoken with the other judges about it.

Measure 37 Funding - Leslie stated that there seems to be a lot of public interest in some of the Measure 37 claims and there might be people who would want to help the county establish a funding mechanism to allow for the compensation of some claims rather than waiving the land use regulations. She suggested holding a public hearing to see what kind of input the community could give about innovative funding mechanisms other than people just contributing their own funds. The Board agreed to hold the public hearing on March 2, 2005 as part of the regular formal session.

Measure 37 Claims - Mike presented brief descriptions of seven new Measure 37 claims (see attachment) and one remanded claim, along with staff recommendations. Leslie asked that these claims be put on the agenda for February 23, 2005 since she will be in Salem during formal session this week.

1) *M37-08-04, applicant Diefenderfer* - Mike stated that in reviewing the figures with the Assessor, he believes that \$451,000 would be a more accurate reduction of value than the \$1.8 million stated by the applicant. He explained that this and several other of today's applications are similar to the previous Hottmann claim in that the Planning Department won't know if the claimants can do the proposed changes until they apply, based on the land use regulations in effect at the time of purchase. He stated that the Department of Land Conservation and Development is leaning toward the same procedure recommended by Planning, which is to give the claimants the opportunity to apply. He recommended modifying, removing, or not applying the land use regulation.

Mary moved to hold a public hearing for the Diefenderfer claim. The motion failed, Mary voting aye and Leslie and Kathy voting no. Mary said the item would go on the non-consent agenda because of the big discrepancy in values. Leslie stated that Measure 37 only requires the county to establish that there has been some reduction in value, which can clearly be agreed upon in this case. Mary stated that the measure requires a determination of just compensation, which cannot be done without a professional appraisal in this case.

2) *M37-12-04, applicants Billy and Katherine Magar* - Mike pointed out that the property deed describes this lot as well as adjoining lots and that Katherine transferred her ownership to Billy in 1993 following their divorce, but Rick Sanai had indicated that neither issue would affect the claim. He recommended modifying, removing, or not applying the land use regulation.

Mary moved to hold a public hearing for the Magar claim. The motion failed, Mary voting aye and Leslie and Kathy voting no. Mary said the item would go on the non-consent agenda.

3) *M37-13-04, applicants Jeffrey and Anita Magar* - Mike stated that he won't know if the applicants can establish the dwelling until they apply. He recommended modifying, removing, or

not applying the land use regulation.

Mary moved to hold a public hearing for the Magar claim. The motion failed, Mary voting aye and Leslie and Kathy voting no. Mary said all of the claims will go on the non-consent agenda in case additional information is received.

4) *M37-01-05, applicant McLain* - Mike stated that this claim is similar to the previous one. He recommended modifying, removing, or not applying the land use regulation. Mary moved to hold a public hearing for the McLain claim. The motion failed, Mary voting aye and Leslie and Kathy voting no. The item was placed on the non-consent agenda.

5) *M37-03-05, applicant Gregg* - Mike recommended modifying, removing, or not applying the land use regulation. Mary moved to hold a public hearing for the Gregg claim. The motion failed, Mary voting aye and Leslie and Kathy voting no. The item was placed on the non-consent agenda.

6) *M37-04-05, applicant Prettyman* - Mike recommended modifying, removing, or not applying the land use regulation. Mary moved to hold a public hearing for the Prettyman claim. The motion failed, Mary voting aye and Leslie and Kathy voting no. The item was placed on the non-consent agenda.

7) *M37-07-05, applicant Sulak* - Mike recommended modifying, removing, or not applying the land use regulation. Mary moved to hold a public hearing for the Sulak claim. The motion failed, Mary voting aye and Leslie and Kathy voting no. The item was placed on the non-consent agenda.

8) *M37-05-04, applicants Leonhart and Irene Jensen (remanded by the Board)* - Mike stated the applicants have submitted an estimated loss of value of \$100,000, which is identical to the Planning Director's estimate. He recommended modifying, removing, or not applying the land use regulation. The item was placed on the non-consent agenda.

Mike stated that in some cases, it would be helpful to be able to receive information from surrounding property owners regarding deed and mortgage records. John G stated that there is nothing in the ordinance which would prohibit him from sending a notice to surrounding property owners.

Seized Animals - Ron Huber distributed a handout to the Board (see attachment) listing the animals forfeited to the Sheriff's Office and a proposal for how to disperse them to permanent homes. He discussed adopting the dogs and cats out of the pound and conducting a lottery for the other animals.

Mary moved to authorize the Sheriff's Office to conduct an expedited sale of the animals listed in Exhibit A of Ron's memo, pursuant to a process established by the Sheriff in consultation with County Counsel, and to declare the animals as surplus county property. The motion passed, Mary, Leslie, and Kathy voting aye.

There was some discussion about what to do with the sale proceeds. John G suggested

waiting until afterwards to decide, when the amount will be known. Later in the meeting, Ron returned and informed the Board that the Sheriff's Office had decided to auction the horses, cows, and goats at the Woodburn Auction instead of doing a lottery.

Enterprise Update - Agnes Balassa stated that decreased funding over the last few years has necessitated a review of all of Enterprise's services. She said they have learned that their client base is largely less-educated than the population as a whole and they will be altering their case management to focus more on skill-building. She stated that they will keep one comprehensive site in each of the three counties, as well as smaller outreach sites, and will probably also reduce the number of coordinators. She pointed out that Yamhill County will probably see the least reduction of services since the Newberg site is already the smallest site in the three counties. The Board expressed their approval of the approach being taken to improve services while making operations more efficient.

South Korean Delegation - Mary discussed a potential visit of businessmen from South Korea during the Newberg Old-Fashioned Days festival, which might take some economic development money. She stated that Jim Kim would like to do a workshop for any local businesses who would be interested in doing business with South Korea. She suggested forming a committee to help with the group's visit.

Special Formal Session - John G stated that the new public contracting laws go into effect March 1, 2005. He explained that he will be preparing a new ordinance which will take the county's current procedures and roll them into a form that meets the new requirements. The Board scheduled a special formal session for 1:45 p.m. on February 28, 2005 to adopt the new ordinance.

* Sharer Public Hearing - Leslie stated that she will be in Salem during this week's formal session, although she may be able to participate by phone. The Board decided to continue the public hearing for another week.

The meeting adjourned at 3:52 p.m.

Anne Britt
Secretary