

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 March 16, 2005 at 9:00 a.m. in Room 32 of the Courthouse, Commissioners Mary P. Stern and Kathy George being present and Commissioner Leslie Lewis being excused for business in Washington, D.C.

Also present were John M. Gray, Jr., County Counsel; John Krawczyk, Director of Administrative Services; Bill Gille, Public Works Director; Ray Mader, 9650 SE Starr Quarry Road, Amity; Allen Stevens, 2715 Douglas Avenue, Newberg; Don Schellen, 865 Schamburg Road, Sherwood; Judy Collier, 2250 Wildflower Court, Stayton; Mike Goins, 191 NW Viewmont Drive, Dundee; Doug Goe, 1125 NW Couch Street, Portland; and Eric Scott, 7905 Slab Creek Road, Neskowin.

Commissioner Stern called the meeting to order.

A. **PUBLIC COMMENT:** This thirty-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. George moved approval of the consent agenda, excluding items #12 and #13. The motion passed, Commissioners Stern and George voting aye.

Personnel

1. **B. O. 05-165** - Approve the employment of Raymond Jones III, Independence, and Solomona Tapasa, Monmouth, as Extra Help in the Juvenile Department, on-call relief, Range 12, Step 1, \$7.50/hour, effective March 16, 2005.

2. **B. O. 05-166** - Approve the employment of Joseph Steve, Dundee, as Corrections Reserve in the Jail, part-time on-call, \$10/hour, effective March 16, 2005.

3. **B. O. 05-167** - Approve the employment of Shanta Jones, Portland, as Extra Help in Chemical Dependency’s Prevention Program, temporary part-time, \$8.50/hour, effective March 16, 2005 until June 30, 2005.

4. **B. O. 05-168** - Approve the employment of Marshall Radley, Newberg, as HS Specialist 1 in Chemical Dependency, temporary part-time, Range 17, Step 1, \$15.95/hour, effective March 28, 2005 until December 31, 2005.

5. **B. O. 05-169** - Approve the employment of Kenneth Huffer, Amity, as Parks Coordinator in Community Corrections, regular full-time, Range 20, Step 1, \$3175/month, effective March 16, 2005, and grant .5 FTE position authority for Fund 21-63.

Contracts/Grants

6. **B. O. 05-170** - Approve Agreement #112654 between HHS and Oregon Department of Human Services for family support services to children with developmental disabilities, not to exceed \$10,000, retroactive to January 15, 2005 until June 30, 2005.
7. **B. O. 05-171** - Approve Amendment #36 to the 2003-05 Financial Assistance Contract #36-001 between HHS and Oregon Department of Human Services to increase Adult Foster Care funding.
8. **Tabled (see Other Business)** - Approve a professional services agreement between County Counsel and Mark Greenfield for land use consulting services regarding Newberg-Dundee Bypass litigation, \$170/hour.
9. **B. O. 05-172** - Authorize Juvenile Department to apply for a two-year federal planning grant for the management of juvenile sex offenders, \$250,000.

Fees

10. **B. O. 05-173** - Approve the increase of Public Works permit fees for access to county roads or rights-of-way to \$135, effective April 1, 2005, with automatic annual CPI increases effective July 1, 2006.

Vehicles

11. **B. O. 05-174** - Approve the purchase of a 14-passenger bus for HHS from Schetky Northwest, \$45,801.

Revenue Bonds

12. **See Other Business** - Authorize a letter of intent and publication of a notice of intent to issue revenue bonds for George Fox University facilities projects, not to exceed \$28,400,000.

Correction

13. **See Other Business** - Approve an amendment to Ordinance 756 in support of Planning Docket Z-02-04, applicant Susan Hutchings, to correct a scrivener's error in Section A.1.

Resolution

14. **B. O. 05-175** - Proclaim April 18-22, 2005 as Respite Care Awareness Week.

C. **OLD BUSINESS:**

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

Revenue Bonds

1. **B. O. 05-176** - Authorize a letter of intent and publication of a notice of intent to issue tax-exempt and/or taxable variable-rate demand revenue bonds (George Fox University project), in an amount not to exceed \$28,400,000.

Doug Goe of Orrick, Herrington & Sutcliffe, LLP reviewed the purpose of the conduit financing and the approval process. He explained that the initial request for \$25 million is now \$28.4 million due to rising construction costs. He assured the Board that the county will be

indemnified from any liability for repayment of the bonds, which will be backed by Bank of America.

Ms. Stern stated that there are many wonderful projects going on at the university which will greatly benefit the county. She moved to authorize the letter of intent and publication of a notice of intent as described above. The motion passed, Commissioners Stern and George voting aye.

Corrections

2. **B. O. 05-177** - Adopt a supplemental Board Order to correct a scrivener's error in Section A.1 of Ordinance 756 in support of Planning Docket Z-02-04, applicant Susan Hutchings.

John Gray clarified that this is a supplemental Board Order rather than an ordinance amendment. Ms. Stern moved to adopt the supplemental Board Order. The motion passed, Commissioners Stern and George voting aye.

3. Following the public hearings, Mr. Gray announced that he had just received new information regarding the intergovernmental agreement with ODOT, upon which approval of item #8 on the consent agenda was based. He explained that ODOT will now contract directly with Mark Greenfield rather than going through the county.

Ms. George moved to reconsider her earlier motion to approve the consent agenda. The motion passed, Commissioners Stern and George voting aye. Ms. George moved to withdraw and table item #8 on the consent agenda and reapprove the remaining items, excluding items #12 and #13. The motion passed, Commissioners Stern and George voting aye.

**E. PUBLIC HEARINGS:**

1. **B. O. 05-178** - Receipt of public comment on request for Memorial Weekend Boat Races mass gathering permit and park exceptions, applicants Newberg Boat Club and Columbia Outboard Racing Association. *[Approved]*

Mr. Gray stated that this is an annual event which requires several permits, consolidated into one Board Order. He said he had referred the application to a series of local officials as required, and they had all responded that no changes would be needed to the permit conditions required last year.

Ms. Stern opened the public hearing. Mr. Gray listed the conditions of the permit. There being no public comment, the public hearing was closed.

Ms. George moved approval of the request with the conditions outlined by Mr. Gray. The motion passed, Commissioners Stern and George voting aye. Ms. George expressed her appreciation to the applicants for continuing this great tradition for the community.

2. Consideration of legalization of a portion of Grand Ronde Road (County Road 402); hearing scheduled by B.O. 05-84, February 9, 2005. [*Tentatively approved; final order to be adopted March 30, 2005.*]

Mr. Gray reviewed the legalization process and stated that all notification requirements have been met. Eric Scott, Tribal Engineer for the Confederated Tribes of Grand Ronde, explained that legalization of the road will allow them to make pedestrian safety improvements, widen travel lanes, provide bike lanes and sidewalks, improve storm drainage along roadside ditches, and replace the outdated sewer main. He stated that work will begin next summer and should be completed in about three years, based on the funding allocation schedule.

Ms. Stern opened the public hearing.

Judy Collier spoke on behalf of David Joerg, owner of Tax Lot #4200 on the east corner of Highway 22 and Grand Ronde Road. She expressed his concerns about the amount of footage he would be losing along his property. Mr. Scott explained that the roadway footprint would still be confined within the current limits of existing roadside ditches, telephone poles, and utilities. Bill Gille discussed plans for a 50-foot turning radius on the corner of Highway 22 and stated that the easement would have to be acquired from Mr. Joerg and legalized as a separate action later. Mr. Scott reviewed maps of the area with the Board and Ms. Collier.

Ms. Stern closed the public hearing. Ms. George moved to tentatively authorize the legalization as presented and continue the matter to March 30, 2005 for adoption of the final order. The motion passed, Commissioners Stern 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, three positions;
- b. Parks Board, two positions;
- c. Food Service Advisory Committee, six positions in various categories;
- d. Special Transportation Commission, two positions;
- e. Dog Control Advisory Committee, one position (candidates must be directly involved with dog-related issues);
- f. Local Alcohol and Drug Planning Council, one position;
- g. Fair Board, two positions as of April 22, 2005, applications accepted until March 25, 2005.

2. Byrne Grant Application available for review. Interested persons are invited to review an application by Yamhill County and the City of Newberg for an Edward Byrne Memorial Justice Assistance Grant Program grant for a total of \$14,971, with the city seeking \$7,485.50 and the county seeking \$7,485.50. If the grant is awarded, the two jurisdictions will purchase law enforcement equipment consisting of ballistic vests and Taser X26 Electronic Stun Devices with accessories. The application can be reviewed during regular business hours in the Board of Commissioners office in Room 106 of the Yamhill County Courthouse, 535 NE Fifth Street, McMinnville, OR 97128. Questions can be addressed to Lt. Ken Summers, Yamhill County

Sheriff's Office, (503) 434-7506.

Adjourn: 9:45 a.m.

Anne Britt  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

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Chair MARY P. STERN

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Commissioner LESLIE LEWIS

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Commissioner KATHY GEORGE