

INFORMAL MINUTES

March 28, 2005 2:00 p.m.

Room 108, Courthouse

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

Staff: John M. Gray, Jr., Rick Sanai, John Krawczyk, Steve Mikami, Mike Brandt, Chris Johnson, Ken Friday, Bill Gille, Russ Heath, and Bob Maca.

Guests: David Bates, News-Register; Grace Schaad; Dave, Marge, and Teresa Turner; AriAnne Billingsley; Francisco Lopez and Michael Ryan, Integrated Services Network.

* indicates item forwarded to formal agenda

Mary called the meeting to order at 2:04 p.m.

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

* Contracts - See agenda for details.

* Easement - Accept a temporary construction easement from the City of Carlton for bridge construction on Meadow Lake Road.

Tax Revenue - John K presented an alert from the Department of Revenue to expect substantial reductions in assessed values for telecom companies. He stated that Verizon is one of the largest taxpayers in the county, which may lead to budget implications for 2005-2006.

Support Services Brokerage - Francisco Lopez, Director of Integrated Services Network, stated that his organization has experienced great relationships with both Housing Authority of Yamhill County and the county's Developmental Disabilities division. He said they have been meeting with families of mental health services recipients and discussing common values. He invited the Board to attend an assembly in Salem on April 30, 2005 to participate in public discussion about common good, common ground, and a new social contract on the delivery of health and human services.

Marge Turner read a history of her daughter, Teresa, and the challenges they went through as a family. She discussed the creation of Families United for Independent Living in 2000, which provides housing for adults with developmental disabilities, and the project currently underway for Hendricks Place.

AriAnne Billingsley talked about her history in foster care and the benefits she has experienced with the Independent Living Program and the Youth Brokerage Program.

Mike Ryan discussed the benefits of the self-directed care model to communities,

families, clients, and the cost perspective. He encouraged the Board to attend the assembly if possible. Mr. Lopez noted that while these goals would be new to some counties, Yamhill County has already started on that path. Kathy commended him for his great work in putting this together.

Measure 37 Claims - Mike presented nine Measure 37 claims to the Board, along with staff recommendations (see attachment for details).

* 1) *M37-09-04, applicants James and Susan Stiverson* - Mike stated that this application was previously remanded to him by the Board. He recommended modifying, removing, or not applying the land use regulation. Mary moved to hold a public hearing for the Stiverson claim. The motion failed, Mary voting aye and Leslie and Kathy voting no. The item was placed on the non-consent agenda.

* 2) *M37-10-04, applicants Jeffrey Magar and Billy Magar* - Mike stated that this appears to be a legitimate claim based on an equitable mortgage. He recommended modifying, removing, or not applying the land use regulation. Rick Sanai summarized information submitted by the applicants' attorney, Mr. Smith.

Mary stated that 24 new building lots would have a major impact on the area and there may be additional information contesting the equitable mortgage. She moved to hold a public hearing for the Magar claim. Leslie stated that the density of the lots is of more concern than the number, although there aren't many options unless new information is brought forward contesting ownership. The motion passed, Mary, Leslie, and Kathy voting aye. The hearing was scheduled for April 27, 2005 at 9:00 a.m.

* 3) *M37-08-05, applicant Robert McKee* - Mike recommended modifying, removing, or not applying the land use regulation. Mary moved to hold a public hearing for the McKee claim. The motion failed, Mary voting aye and Leslie and Kathy voting no. The item was placed on the non-consent agenda.

* 4) *M37-09-05, applicants Thomas and Lori Bernards* - Mike recommended modifying, removing, or not applying the land use regulation. Mary moved to hold a public hearing for the Bernards claim. The motion failed, Mary voting aye and Leslie and Kathy voting no. The item was placed on the non-consent agenda.

* 5) *M37-10-05, applicants Stanley and Kay Varuska* - Mike recommended modifying, removing, or not applying the land use regulation. Mary moved to hold a public hearing for the Varuska claim. The motion failed, Mary voting aye and Leslie and Kathy voting no. The item was placed on the non-consent agenda.

* 6) *M37-11-05, applicant Coy Roberts* - Mike recommended modifying, removing, or not applying the land use regulation. Mary moved to hold a public hearing for the Roberts claim. The motion failed, Mary voting aye and Leslie and Kathy voting no. The item was placed on the non-consent agenda.

* 7) M37-12-05, applicant Maurice Cooper - Mike recommended modifying, removing, or not applying the land use regulation. Mary moved to hold a public hearing for the Cooper claim. The motion failed, Mary voting aye and Leslie and Kathy voting no. The item was placed on the non-consent agenda.

* 8) M37-13-05, applicant Jean Opheim - Mike recommended modifying, removing, or not applying the land use regulation. Mary moved to hold a public hearing for the Opheim claim. The motion failed, Mary voting aye and Leslie and Kathy voting no. The item was placed on the non-consent agenda.

* 9) M37-14-05, applicant Marla June Robison - Mike recommended modifying, removing, or not applying the land use regulation. Mary moved to hold a public hearing for the Robison claim. The motion failed, Mary voting aye and Leslie and Kathy voting no. The item was placed on the non-consent agenda.

* Fees - Adopt the new rule package of the Environmental Quality Commission regarding on-site sewage disposal services; also adopt specific fees associated with holding tanks and other alternative systems, effective March 30, 2005.

Fee Waiver - Mike presented a request from Dean Weinbarger to waive the processing fee for removing his family's property from the historic register. He said Mr. Weinbarger claims they never got the letter sent by the Board in 1995 explaining the deadline for their opt-out rights, although the Planning Department has records that it was sent. After some discussion, the Board's consensus was to deny the fee waiver request.

Land Use Briefing - Ken reviewed Planning Docket CTS-06-05, applicant Luella Docken, a request to use an existing structure as a hardship dwelling which was approved by the Planning Commission but appealed by a neighbor based on restrictions in effect at the time of application. He explained that those restrictions have since been lifted, but the applicant would need to withdraw her original application and reapply under the new ordinance. He requested that the Board expedite the case by calling it up on the Board's own motion. Rick pointed out that the ordinance does not address the issue of bypassing the Planning Commission and the most defensible position would be to have Ms. Docken apply as if it were a new case and follow standard procedures.

Contract Review Board - Bill Gille discussed the need for emergency repairs to Ballston Bridge on DeJong Road. He said that ConTech Services, Inc. would be able to do the work for \$40,000 or less. The Board scheduled a meeting of the Contract Review Board at 8:30 a.m. on March 30, 2005 to consider granting an exemption from competitive bidding.

Vegetation Management Policy - Bill stated that the draft policy was reviewed by the Road Improvement Advisory Committee, which raised a concern about the insurance requirements being too strict for the average homeowner. Leslie explained that the county will be spraying roadside vegetation and this policy will require property owners who don't want their property

sprayed to get a no-spray permit and assume responsibility for maintaining vegetation in the right-of-way. The consensus was to have Bill and John G work out the final language for the policy.

* General Provisions Ordinance - Consideration of approval of Ordinance 766, repealing Ordinance 763 and reinstating Public Works General Provisions Ordinance 558 as amended by Ordinance 574. John G stated that PGE has raised safety concerns with portions of the new Public Works General Provisions Ordinance and would like to have some discussion about the issue.

* Vehicle Purchase - Approve the purchase of four new 2005 Ford Crown Victoria patrol cars for the Sheriff's Office from Chuck Colvin Ford, \$20,416 each, and declaring four of the highest-mileage patrol vehicles as surplus county property to be auctioned on eBay to the highest bidders.

Disaster Mitigation Grant - Bob Maca stated that there will be a Town Hall meeting to allow the public to rate project priorities. He noted that he is getting close to end of the planning process and the county may need to incur more expenditures to meet the \$16,000 soft match requirement.

Time Sheet Change - John K stated that the dates will be slightly changed for reporting periods, but pay dates will remain the same.

* Grant - Consideration of authorizing the county to apply for an ODOT Mass Transit Discretionary Grant.

NACo Request - Mary presented a request from the National Association of Counties (NACo) for the Board to pass a resolution and make a \$1000 donation to support the inauguration of Bill Hansell as President of NACo. The Board agreed to table the request.

Sale of Surplus Property - John G presented a request from two citizens to jointly purchase a 16.5-foot strip of county land adjoining their property. He recommended proceeding with the private sale for the current value of \$3228 plus fees. The Board agreed to have John G go ahead with the required legal notice of a public hearing.

In another matter, John G stated that there would be a problem with giving to a county employee a desktop organizer that would otherwise be discarded. The Board agreed to publish a notice on the Courthouse bulletin board and give the organizer away through a random drawing.

Public Comment Period - The group discussed the issue of public comment periods at formal sessions. The Board agreed to include on the agendas the statement that unless extended or restricted by the Chair or majority of the Board, public comment will be limited to three minutes per person.

Overnight Camping - Kathy presented a request from Pete Lindberg for an exception to the Parks policy in order to use Deer Creek Park for overnight camping during a medieval enactment

event. She said this group has used other county parks for the event in the past and is willing to comply with any restrictions set by the county. She added that admission fees in the past have raised \$1000-1200 per year for the county. John G stated that it would be a mistake not to let the Parks Board weigh in on the decision. He said the applicants will need to submit a formal letter of request to the Board, including the number of people expected to attend.

The meeting adjourned at 4:38 p.m.

Anne Britt
Secretary