

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 June 15, 2005 at 9:00 a.m. in Room 32 of the Courthouse, Commissioners Mary P. Stern, Leslie Lewis, and Kathy George being present.

Also present were John M. Gray, Jr., County Counsel; Rick Sanai, Assistant County Counsel; John Krawczyk, Director of Administrative Services; Mike Brandt, Planning Director; Laura Tschabold, Grant Writer; Marie McDaniel-Bellisario, Adult Mental Health Manager; Murray Paolo, Information Services Director; David Bates, News-Register; Doug Bartlett, PO Box 631, McMinnville; and Ilsa Perse, 5765 Mineral Springs Road, Carlton.

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. Unless extended or restricted by the Chair or majority of the Board, public comment will be limited to three minutes per person.

Merilyn Reeves, Friends of Yamhill County, reviewed a written statement submitted earlier to Mike Brandt regarding M37-39-05. She stated that the Hall property would come under the public health and safety provisions of Measure 37 because it is in a flood hazard zone. She agreed with Ms. George’s previous statement that a good test of ownership is whether the person has the right to sell the land and pointed out that Mr. Hall could not have sold the property until he acquired the title on February 20, 1976.

B. **CONSENT AGENDA:** Ms. George moved approval of the consent agenda. The motion passed, Commissioners Stern, Lewis, and George voting aye.

Minutes

1. Approve the following formal session minutes:
  - a. **B. O. 05-426** - December 9, 2004;
  - b. **B. O. 05-427** - February 23, 2005;
  - c. **B. O. 05-428** - March 23, 2005;
  - d. **B. O. 05-429** - April 13, 2005.

Personnel

2. **B. O. 05-430** - Approve the employment of John Shelly and William Hunter, McMinnville, Matthew Hertel, Carlton, and Robert Morrill, Amity, as Laborer 2 in Public Works, temporary full-time, \$10/hour, retroactive to June 13, 2005 through December 13, 2005.

3. **B. O. 05-431** - Approve the employment of Kristen Snook, McMinnville, as HS Specialist 1 in the HHS Prevention Office, regular part-time, Range 17, Step 1, effective July 13, 2005.
4. **B. O. 05-432** - Approve the employment of Bruce Tindall, Keizer, as Supervising Appraiser in the Assessor's Office, regular full-time, Range 23, Step 7, effective July 1, 2005.
5. **B. O. 05-433** - Approve the change of status of Lavina Schneible to Senior Office Specialist in the District Attorney's Office, Range 10, Step 6, effective July 1, 2005.
6. **B. O. 05-434** - Approve the change of status of Dorothy Green to reduce regular part-time hours in the HHS Abacus Division, effective June 24, 2005.
7. **B. O. 05-435** - Approve a contract employee agreement between the Board of Commissioners and Tomas Garza for child custody and visitation mediation services, \$75/hour.

#### Contracts

8. **B. O. 05-436** - Approve a contract renewal between the Juvenile Department and McMinnville School District for Functional Family Therapy services, retroactive to October 1, 2004 through September 30, 2005, \$57,514.
9. **B. O. 05-437** - Approve the renewal of Intergovernmental Agreement #675/444 between Adult Mental Health and Marion County for after-hours services and crisis associate services, effective July 1, 2005 through June 30, 2006.
10. **B. O. 05-438** - Approve a contract renewal between Adult Mental Health, agent for MidWillamette Acute Care Region, and Coastal Transport Services, for secure transport of mental health clients, effective July 1, 2005 through June 30, 2006.
11. **B. O. 05-439** - Approve a memorandum of agreement between the Sheriff, Board of Commissioners, and Teamsters Local 223 regarding Jail flex time and payment of vacation and comp time, effective June 15, 2005.
12. **B. O. 05-440** - Approve an amendment to an intergovernmental agreement between the Board of Commissioners and OHSU for CaCoon program funding, effective through September 30, 2005.
13. **B. O. 05-441** - Approve a grant agreement between Adult Mental Health and Mid-Valley Behavioral Care Network for \$25,000 additional funding to cover a projected deficit for psychiatric hospitalization alternatives.
14. **B. O. 05-442** - Approve a sublease and option to purchase between Air Support and Michael Sheets for an aircraft hangar at the City of McMinnville's municipal airport, effective June 15, 2005.
15. Approve Special Transportation Fund service agreements between Yamhill County and the following providers for quarterly disbursements of grant funds, effective through June 30, 2006:
  - a. **B. O. 05-443** - Chehalem Valley Senior Citizens Council;

- b. **B. O. 05-444** - Special Olympics Oregon;
- c. **B. O. 05-445** - Yamhill Community Action Program (YCAP);
- d. **B. O. 05-446** - Yamhill County Volunteer Medical Transportation.

16. Approve the annual renewal of transportation agreements between Yamhill County and the following providers, effective July 1, 2005 through June 30, 2006:

- a. **B. O. 05-447** - Chehalem Valley Senior Citizens Council;
- b. **B. O. 05-448** - Yamhill Community Action Program (YCAP).

Committees

17. **B. O. 05-449** - Reappoint Chief Dan Brown, City of Amity, and Tony Bell, citizen, to the Local Public Safety Coordinating Council for three-year terms to expire July 1, 2008.

18. **B. O. 05-450** - Approve the following changes to the Mental Health Advisory Board:

- a. Reappoint Jo Ann Cooke, Barbara Paladeni, Scott Reeves, Deborah Cathers-Seymour, Paul Timmer, and Ryan Vogt for three-year terms to expire May 30, 2008;
- b. Appoint Robert Porath for a two-year term to expire May 30, 2007.

Public Hearing

19. **B. O. 05-451** - Set a hearing date of June 29, 2005 to consider the adoption of a stipulated settlement agreement between Yamhill County, Friends of Yamhill County, and Matthew and Renee Powell regarding Planning Docket PAZ-02-03, formally approved on April 27, 2005 by Ordinance 767.

**C. OLD BUSINESS:**

1. **B. O. 05-452** - Consideration of adoption of Ordinance 769 in support of PAZ-01-05, a request for exchange of zoning between two parcels, applicant David Buswell, as tentatively approved June 8, 2005. *[Approved.]*

Rick Sanai provided the first and second readings of Ordinance 769 by title only, declaring an emergency. Ms. Lewis moved approval of the ordinance. The motion passed, Commissioners Stern, Lewis, and George voting aye.

2. Consideration of adoption of findings in support of the surrender of jurisdiction to the City of Newberg over a portion of Crater Lane, as tentatively approved June 8, 2005. *[Continued to June 22, 2005.]*

At the request of Mr. Gray, Ms. Lewis moved to continue the item to June 15, 2005. The motion passed, Commissioners Stern, Lewis, and George voting aye.

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

Measure 37

3. **B. O. 05-453** - Consideration of approval of M37-39-05, a Measure 37 claim authorizing applicant Bruce Hall to make application to subdivide his property into 12-14 lots and establish dwellings on each vacant parcel; modifying, removing, or not applying land use regulations back to October 2, 1975. *[Approved.]*

Mr. Gray stated that Measure 37 defines a property owner as the present owner or person having any interest therein. He listed the many possible dates that could be used to determine ownership, including the verbal partnership agreement in 1959, the death of Mr. Hall's business partner in 1973, the settlement agreement in 1975, the transfer of property in February 1976, and the recording of the deed in March 1976. He stated that although arguments could be made to support any of these dates, he would recommend using the settlement agreement date. Ms. Lewis stated that Mr. Gray's conclusion certainly meets the Measure 37 test of having an interest in the property.

Ms. Lewis moved approval of M37-39-05, using the October 2, 1975 date as recommended by Mr. Gray. Ms. Stern stated that she believes the recording date should be the one used to determine ownership. The motion passed, Commissioners Lewis and George voting aye and Commissioner Stern voting no.

#### Personnel

4. **B. O. 05-454** - Consideration of approval of the employment of Sara Grabner, McMinnville, as Office Specialist 2 in the District Attorney's Office, temporary full-time, \$9/hour, retroactive to June 13, 2005. *[Approved.]*

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

#### Resolution

5. **B. O. 05-455** - Consideration of adoption of Resolution 05-06-15-1 declaring a state of emergency in Yamhill County due to significant crop damage to stone fruits; and approval of a letter requesting the governor to facilitate federal assistance from the U.S. Department of Agriculture.

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

4. Committee Openings - The Board agreed to set a deadline of August 31, 2005 to accept applications for the Budget Committee.

Ms. Lewis stated that Jay Shue's application is the only one received so far for the Parks Board opening. She expressed her hope of finding someone with an open mind who would consider other kinds of activities to make available in county parks and stated that Mr. Shue's experience with McMinnville Parks & Recreation might make him a good candidate. The Board agreed to discuss the appointment at next week's informal session after reading over his application.

#### **E. PUBLIC HEARINGS:**

1. Receipt of public comment on a community development block grant application for a future Mental Health Treatment Facility. *[No formal action necessary.]*

Laura Tschabold explained that the purpose of this public hearing is to receive public comment regarding the grant application and the proposed project. Marie McDaniel-Bellisario

distributed and reviewed a handout which summarized the department's facility needs since the 1980's. She added that one of the reasons for combining Developmental Disabilities, Mental Health, and Chemical Dependency divisions is to better coordinate treatment of clients who are triply diagnosed. She requested that the grant application be given high priority due to the urgent space needs.

Ms. Lewis stated that the Board had looked at a variety of options on the Evans Street block when the plan was started several years ago and was satisfied with this option. The commissioners each expressed their support of the project and their appreciation for all those who have worked on it.

Ms. Stern opened the public hearing. Doug Bartlett expressed his support of the project. The public hearing was closed. Laura stated that she hopes to have the actual grant figures ready to present to the Board by Monday.

**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. Food Service Advisory Committee, six positions in various categories;
  - c. Special Transportation Commission, two positions;
  - d. Dog Control Advisory Committee, one position (candidates must be directly involved with dog-related issues);
  - e. Local Alcohol and Drug Planning Council, one position;
  - f. Planning Commission, three positions, application deadline June 30, 2005;
  - g. Ambulance Service Area Advisory Committee, one position for an emergency room physician;
  - h. Parks Board, one position;
  - i. Budget Committee, one position, application deadline August 31, 2005.

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