

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 July 20, 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; John Krawczyk, Director of Administrative Services; Rick Sanai, Assistant County Counsel; Brian Dunn, Maintenance Division Manager; Dan Stanhope, Facilities Maintenance; Merilyn Reeves, PO Box 1083, McMinnville; and David Bates, News-Register.

Commissioner Stern called the meeting to order.

**SPECIAL PRESENTATION:** Certificates of appreciation presented by Judge Collins to Dan Stanhope and Brian Dunn.

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. None offered.

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. 05-594** - May 2, 2005;
  - b. **B. O. 05-595** - May 3, 2005;
  - c. **B. O. 05-596** - May 4, 2005.

Personnel

2. **B. O. 05-597** - Approve the employment of Jeffrey Elsenraat, Amity, as Laborer 2 in Public Works, temporary full-time, \$10/hour, retroactive to July 18, 2005 through December 15, 2005.
3. **B. O. 05-598** - Approve the employment of Gretchen See, Talent, as Environment Health Specialist 1 in Public Health, temporary full-time, Range 16, Step 1, effective August 25, 2005 through June 30, 2006.
4. **B. O. 05-599** - Approve the change of status of Rosy Wyland to HS Specialist 1 in Public Health, Range 17, Step 2, retroactive to July 1, 2005.

5. **B. O. 05-600** - Approve the change of status of Jennifer Beecroft to .7 FTE in Public Health, retroactive to July 9, 2005 through September 8, 2005, and then to .8 FTE, effective September 9, 2005.
6. **B. O. 05-601** - Approve the change of status of Catharine Ost to .5 FTE in Public Health, retroactive to July 1, 2005.
7. **B. O. 05-602** - Approve the change of status of Shelley Clift to extend temporary part-time employment in Public Health, retroactive to July 1, 2005 through September 30, 2005.

Contracts

8. **B. O. 05-603** - Approve a contract between the Sheriff's Office and the Oregon State Marine Board for boating safety and law enforcement services, \$61,331, retroactive to July 1, 2005 through June 30, 2006.
9. **B. O. 05-604** - Authorize a Service Element Prior Authorization (SEPA) for Developmental Disabilities contracts.
10. **B. O. 05-605** - Approve Amendment #45 to the 2003-05 Financial Assistance Contract #36-001 between HHS and Oregon Department of Human Services to allow access to the grant funds after July 1, 2005.

Dust Abatement

11. **B. O. 05-606** - Approve the payment of \$158 for citizen request #05-01 to reimburse dust abatement costs.

Delegation of Authority

12. **B. O. 05-607** - Approve the increase of County Counsel settlement and professional retention authority from \$10,000 to \$15,000.

Committees

13. **B. O. 05-608** - Approve the appointment of Matt Dunckel to the Planning Commission for a four-year term to expire July 1, 2009.
14. **B. O. 05-609** - Approve the appointment of David Polite to fill Dean Brown's term on the Planning Commission to expire July 1, 2008.

**C. OLD BUSINESS:**

1. **B. O. 05-610** - Consideration of adoption of findings in support of Planning Docket PAZ-08-04, a request for zone change from AF-20 to AF-10, applicant Benkendorf Associates and Steven Wilson of Bucks Corporation, as tentatively approved July 13, 2005. *[Ordinance 774]*

Rick Sanai provided the first and second readings of Ordinance 774 by title only, declaring an emergency. Ms. Lewis moved approval of the ordinance. The motion passed, Commissioners Stern, Lewis, and George voting aye.

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

Measure 37

1. **Tabled** - Consideration of M37-48-05, a Measure 37 claim authorizing Celia Dromgoole to make application to partition 39 acres into three lots and establish dwellings thereon, as continued from July 13, 2005.

John Gray presented a request from the claimant's attorney to waive the 180-day clock and table the item until after the state makes its decision. Ms. George moved to table M37-48-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

Grants

1. **B. O. 05-611** - Consideration of authorization of the following grant applications to ODOT for 5311 public transportation funding:

- a. Yamhill Community Action Partnership, \$95,264;
- b. Chehalem Valley Senior Citizens Council, \$94,851.

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

Contracts

2. **B. O. 05-612** - Consideration of approval of Intergovernmental Agreement #0405087 between Public Health and Multnomah County Health Department for communicable disease case tracking and outbreak investigations, \$842, retroactive to July 1, 2005 through June 30, 2006.

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

3. **B. O. 05-613** - Consideration of approval of a memorandum of agreement between Yamhill County and the Federation of Oregon Parole and Probation Officers (FOPPO) to settle all collective bargaining issues except for the firearms issue, effective July 20, 2005 through June 30, 2008.

Mr. Gray stated that FOPPO members believe arming should be at the employee's discretion rather than the Director's, so that issue will be resolved separately through arbitration or other means. He noted that FOPPO has already ratified the agreement.

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

Ms. Lewis stated her agreement with the position that employees are the best ones to determine when there is a threat. Ms. Stern recognized the difficulty of the issue and stated that adding deadly force to the mix will compromise the safety of employees.

4. **B. O. 05-614** - Consideration of approval of an agricultural lease agreement between Yamhill County and Bruce Simonson for property adjacent to the closed Whiteson Landfill, retroactive to March 15, 2005.

Mr. Gray stated that Mr. Simonson has leased the property from the former owner for the last seven or eight years and wishes to continue the arrangement. Ms. Stern moved approval of the lease agreement. The motion passed, Commissioners Stern, Lewis, and George voting aye.

5. Consideration of a new social contract for the Mental Health Advisory Board. *[Continued to July 27, 2005.]*

Ms. George stated that she is working on a letter supporting the values recommended by the Mental Health Advisory Board. The item was tabled until next week.

Personnel

6. **B. O. 05-615** - Consideration of employment of Cheri Brickley, McMinnville, as Office Specialist 2 in the District Attorney's Office, regular full-time, Range 7, Step 2, effective July 25, 2005.

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

Resolution

7. **B. O. 05-616** - Consideration of adoption of Resolution 05-7-20-1 proclaiming July 29, 2005 as Geumsan County Day in Yamhill County.

Ms. Stern moved approval of the resolution and noted that a special formal session will be held at 1:00 p.m. on July 29, 2005 in Room 32. The motion passed, Commissioners Stern, Lewis, and George voting aye.

Fines

8. Consideration of establishing fines for boat launch fee violations at Rogers Landing. *[Continued to July 27, 2005.]*

Ms. George requested that the item be postponed until Ken Huffer has had a chance to research other counties' fines and procedures. She emphasized the importance of making sure the enforcement costs are covered. Mr. Gray suggested setting a flat fine and seeing how it works out for this boating season. He said that if it isn't working, maybe towing would be a solution to consider. He agreed that it would be good to hear back from Mr. Huffer before making a decision. After further discussion, the item was continued to July 27, 2005.

E. **PUBLIC HEARINGS:** None.

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. Ambulance Service Area Advisory Committee, one position for an emergency room physician;
- g. Parks Board, two positions;
- h. Budget Committee, one position, application deadline August 31, 2005.

Adjourn: 9:39 a.m.

Anne Britt  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair	MARY P. STERN
Commissioner	LESLIE LEWIS
Commissioner	KATHY GEORGE