

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 August 3, 2005 at 9:00 a.m. in Room 32 of the Courthouse, Commissioners Leslie Lewis and Kathy George being present and Commissioner Mary P. Stern being excused.

Also present were John M. Gray, Jr., County Counsel; John Krawczyk, Director of Administrative Services; Henry & Marilyn Reeves, PO Box 1083, McMinnville; Jim Schmead, 26464 SW McConnell Road, Sherwood; and David Bates, News-Register.

Commissioner Lewis 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.

Marilyn Reeves, Friends of Yamhill County, submitted testimony regarding the Measure 37 claims on today's agenda and requested that the information be submitted to the state as well. She stated that the Attorney General has ruled that Measure 37 rights cannot be transferred. John Gray stated that the Attorney General didn't actually make a ruling, but he gave a letter of advice to that effect.

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

Personnel

1. **B. O. 05-649** - Approve the employment of Kevin Waller, Salem, as Assistant Planner in the Planning Department, regular full-time, Range 15, Step 1, effective August 15, 2005.

2. **B. O. 05-650** - Approve the employment of Jeremy Ruby, Beaverton, as Corrections Reserve in the Sheriff's Office, part-time on-call, \$10/hour, effective August 30, 2005.

3. **B. O. 05-651** - Approve the employment of Kari Lewers, McMinnville, as Police Clerk in Dog Control, regular part-time, Range 4, Step 1, \$11.62/hour, retroactive to August 2, 2005.

4. **B. O. 05-652** - Approve the change of status of Kathi Hubbard to full-time employment in the Jail, retroactive to August 2, 2005.

5. **B. O. 05-653** - Approve the change of status of Steven Wilkinson to Deputy Sheriff in the Sheriff's Office, regular full-time, effective August 9, 2005.

Contracts/Grants

6. **B. O. 05-654** - Approve a change order for Legacy Wireless Services regarding the Mountain Top radio tower construction, \$8738.
7. **B. O. 05-655** - Approve a lease agreement between HHS and Yakima Valley Farm Workers Clinic for offices at 2251 Hancock Street, Newberg, \$576/month, retroactive to July 1, 2005 through June 30, 2006.
8. **B. O. 05-656** - Approve a modification to an intergovernmental agreement between Adult Mental Health and Linn County to include funds for a clerical support position for acute care psychiatric hospital alternatives, effective August 3, 2005.
9. **B. O. 05-657** - Approve a physician services agreement between Adult Mental Health and Joseph Arnold, M.D. for psychiatric services, \$103/hour, retroactive to July 1, 2005.
10. **B. O. 05-658** - Approve a physician services agreement between Adult Mental Health and Holly Hoch, M.D. for psychiatric services, \$103/hour, retroactive to July 1, 2005.
11. **B. O. 05-659** - Approve Amendment #1 to an agreement between Public Works and OBEC Consulting Engineers to add final design tasks for the construction of the Yamhill River (Lafayette Hwy) Bridge #11493, total project cost \$381,000, effective August 3, 2005.
12. **B. O. 05-660** - Approve an agreement between the Commission on Children and Families and LINCS for Community Progress Team services in Sheridan, \$7064, retroactive July 1, 2005 through June 30, 2006.
13. **B. O. 05-661** - Approve an order establishing a process for the Juvenile Department to expend funds from the local Commission on Children and Families for Functional Family Therapy, Parenting Wisely, and Teen Safety Net, \$47,706, retroactive to July 1, 2005 through June 30, 2006.
14. **B. O. 05-662** - Approve a grant agreement between the Sheriff's Office and the Oregon Office of Homeland Security for a Local Law Enforcement Block Grant, \$3146, retroactive to July 1, 2005 through June 30, 2006.

Letter

15. **B. O. 05-663** - Approve a letter directing the Health & Human Services Department to promote and implement a set of values consistent with HHS Vision and Mission Statements, as recommended by the Mental Health Advisory Board.

C. **OLD BUSINESS:** None.

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

Road Vacation

1. **Tabled** - Approve Public Works Docket RV-5-2005, a request for vacation of a portion of Redmond

Hill Road, no hearing necessary under ORS 368.351.

Mr. Gray recommended tabling the item until a number of issues can be resolved.

Measure 37

2. **B. O. 05-664** - Consideration of M37-59-05, a Measure 37 claim authorizing Vincent and Nadine Gillis to make application to establish five dwellings on a 240-acre property.

Mr. Gray read the operative part of the order. Ms. George moved approval of M37-59-05. The motion passed, Commissioners Lewis and George voting aye.

3. **B. O. 05-665** - Consideration of M37-61-05, a Measure 37 claim authorizing Garfield and Ruth Roth to make application to establish a dwelling on an 80.5-acre property.

Mr. Gray read the operative part of the order. Ms. Lewis moved approval of M37-61-05. The motion passed, Commissioners Lewis and George voting aye.

4. Consideration of M37-62-05, a Measure 37 claim authorizing Kathryn McCallie, Bette Sunderman, and Barbara Thompson to make application to establish a dwelling on a 41.6-acre property. *[Continued to August 17, 2005.]*

Mr. Gray stated that his review of the Planning Director's recommendation has led him to believe that there are a couple of unresolved issues that he would like to look into further. Ms. George moved to continue M37-62-05 to August 17, 2005. The motion passed, Commissioners Lewis and George voting aye.

5. **B. O. 05-666** - Consideration of M37-63-05, a Measure 37 claim authorizing Matt and Mollie Dunckel to make application to divide 10.1 acres into up to four lots and establish dwellings thereon.

Mr. Gray read the operative part of the order. Ms. Lewis moved approval of M37-63-05. The motion passed, Commissioners Lewis and George voting aye.

6. **B. O. 05-667** - Consideration of M37-64-05, a Measure 37 claim authorizing Glen Mills to make application to subdivide 13.48 acres into two-acre lots and establish dwellings thereon.

Mr. Gray read the operative part of the order. Ms. George moved approval of M37-64-05. The motion passed, Commissioners Lewis and George voting aye.

7. **B. O. 05-668** - Consideration of M37-65-05, a Measure 37 claim authorizing Matt and Mollie Dunckel to make application to divide 35 acres into four lots and establish dwellings thereon.

Mr. Gray read the operative part of the order. Ms. Lewis moved approval of M37-65-05. The motion passed, Commissioners Lewis and George voting aye.

8. **B. O. 05-669** - Consideration of M37-66-05, a Measure 37 claim authorizing Vicky Olinger to make application to establish a dwelling on a 33-acre property.

Mr. Gray read the operative part of the order. Ms. George moved approval of M37-66-05. The motion passed, Commissioners Lewis and George voting aye.

9. **B. O. 05-670** - Consideration of M37-67-05, a Measure 37 claim authorizing John E. Meeke, Jr. to make application to divide 40 acres into two lots and establish one additional dwelling thereon.

Mr. Gray read the operative part of the order. Ms. Lewis moved approval of M37-67-05. The motion passed, Commissioners Lewis and George voting aye.

10. **B. O. 05-671** - Consideration of M37-68-05, a Measure 37 claim authorizing Thomas and Ellen Currans, Jr. to make application to subdivide 52 acres into 8 to 10 lots of 2.5 to 4 acres and one 28-acre lot and establish dwellings thereon.

Mr. Gray read the operative part of the order. Ms. Lewis moved approval of M37-68-05. The motion passed, Commissioners Lewis and George voting aye.

11. **B. O. 05-672** - Consideration of authorizing the vice-chair to execute an intergovernmental agreement between Public Health and Polk County for environmental health services, \$1865/month, effective August 3, 2005, subject to approval of County Counsel.

Ms. George moved to authorize the agreement subject to the approval of County Counsel. The motion passed, Commissioners Lewis and George voting aye.

12. **B. O. 05-673** - Consideration of authorizing Public Health to apply for a Physical Activity and Nutrition Worksite Health grant, \$5000.

Ms. George explained that this grant is for a pilot education program to help people learn better health habits. She moved to authorize the grant application. The motion passed, Commissioners Lewis and George voting aye.

13. **B. O. 05-674** - Consideration of approval of new fee schedules for Environmental Health and Public Health, as recommended by the Board of Health, effective August 8, 2005.

Ms. George stated that the 5% raise is consistent with the cost of growth and the increasing expense of providing services. She moved approval of the new fee schedules. The motion passed, Commissioners Lewis and George voting aye.

14. Consideration of a request for use of Rogers Landing Park for dismantling of a privately owned boathouse. *[Continued to August 17, 2005.]*

Jim Schmead submitted photographs of the boathouse for the record and stated that its condition has deteriorated even further from boat wakes since the photos were taken. He explained that the owner wants to remove the boathouse before it falls apart and becomes a bigger safety hazard, and since there is no

private ramp in the area, the best option would be to tow it to the unused ramp at Rogers Landing and dismantle it there. He assured the Board that any debris would be collected from the river and from the ramp, and any damage would be restored. He stated that Joe Bernert Towing could bring the boathouse up to the ramp in one day and the demolition and cleanup would take place the following day. He offered to post a guard overnight if necessary for safety reasons. He said that he doesn't anticipate the need for any permits from the Division of State Lands, but he would be glad to check with them. He added that everyone involved would be fully insured and bonded and the dates could be selected by the Board.

Ms. George stated that Ms. Stern had expressed a desire to wait until after October, when fewer people would be using the park. She stated that storms at that time of year may make the project more difficult and suggested that the demolition be done after school starts on September 6. Ms. Lewis stated that the suggestion makes sense if the boathouse can be kept stabilized until then.

Mr. Gray stated that once Mr. Schmead has submitted all of the bond and insurance information along with a proposal, he will prepare an agreement and present it to the Board in two weeks. He suggested asking Ken Huffer, Parks Coordinator, for his input regarding an appropriate fee for use of the ramp.

Ms. George moved to continue the item to August 17, 2005. The motion passed, Commissioners Lewis and George voting aye.

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: 9:42 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair

MARY P. STERN

Commissioner

LESLIE LEWIS

Commissioner

KATHY GEORGE