

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 special formal session on September 8, 2005 at 1:45 p.m. in Room 108 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; and Marilyn Reeves, PO Box 1083, McMinnville.

Commissioner Stern called the meeting to order at 1:49 p.m., continued from regular formal session the previous day.

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, stated that the Board does not have the authority to waive public health and safety requirements on Measure 37 claims. She stated that the Planning Director had recommended waiving land use regulations only back to 1999 on M37-78-05, but there would be no loss of property value based on the regulations in effect on that date. She also stated that on M37-92-05, the date of ownership may be subject to interim state planning goals.

She offered to leave the Board a copy of the state’s ruling that the Martsolf claim, M37-45-05, was not a valid Measure 37 claim. John Gray noted the possibility that the claim would not be valid under state regulations, but would be valid under county regulations.

B. **AGENDA:**

Measure 37

1. **B. O. 05-749** - Consideration of M37-69-05, a Measure 37 claim authorizing John, Cecilia, and Richard Kirsch to make application to separate four existing dwellings with 1-3 acres each and to divide the remainder of the property in half.

Mr. Gray read the operative part of the order. Ms. George moved approval of M37-69-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

2. **B. O. 05-750** - Consideration of M37-97-05, a Measure 37 claim authorizing John, Cecilia, and Richard Kirsch to make application to divide off an existing dwelling with 1-3 acres.

Mr. Gray read the operative part of the order. Ms. Lewis moved approval of M37-97-05. The

motion passed, Commissioners Stern, Lewis, and George voting aye.

3. **B. O. 05-751** - Consideration of M37-98-05, a Measure 37 claim authorizing John and Richard Kirsch to make application to divide off an existing dwelling with 1-3 acres.

Mr. Gray read the operative part of the order. Ms. George moved approval of M37-98-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

4. **B. O. 05-752** - Consideration of M37-70-05, a Measure 37 claim authorizing Ronald Schindler to make application to establish dwellings on eight platted lots.

Mr. Gray read the operative part of the order. Ms. Lewis moved approval of M37-70-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

5. **B. O. 05-753** - Consideration of M37-71-05, a Measure 37 claim authorizing Adelina Slocum to make application to subdivide 16.5 acres into eight lots and to establish six additional dwellings thereon.

Mr. Gray read the operative part of the order. Ms. Lewis stated that although the land use regulations could only be waived back to 1993, the claim is still valid from a compensation standpoint because the property has been in the claimant's family since 1947. Ms. George moved approval of M37-71-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

6. **B. O. 05-754** - Consideration of M37-72-05, a Measure 37 claim authorizing Lena Wittenberg to make application to establish a dwelling on a 40-acre property.

Mr. Gray read the operative part of the order. Ms. Lewis moved approval of M37-72-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

7. **B. O. 05-755** - Consideration of M37-73-05, a Measure 37 claim authorizing Annetta Scott to make application to subdivide 60 acres into ten lots and to establish nine additional dwellings thereon.

Mr. Gray read the operative part of the order. Ms. George moved approval of M37-73-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

8. **B. O. 05-756** - Consideration of M37-74-05, a Measure 37 claim authorizing Charles and Nancy Findley to make application to divide 7.65 acres into five lots and to establish four additional dwellings thereon.

Mr. Gray read the operative part of the order. Ms. Lewis moved approval of M37-74-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

9. **B. O. 05-757** - Consideration of M37-75-05, a Measure 37 claim authorizing Richard and Crystal Thomas to make application to divide 40 acres into four lots and to establish three additional dwellings thereon.

Mr. Gray read the operative part of the order. Ms. George moved approval of M37-75-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

10. **B. O. 05-758** - Consideration of M37-78-05, a Measure 37 claim authorizing Judy Wahl to make application to establish a dwelling on a 20-acre property.

Mr. Gray read the operative part of the order. Ms. Lewis noted that although the claimant was deeded the property in 1999, there is clearly a valid claim for compensation since the family purchased the property in 1946. Ms. Lewis moved approval of M37-78-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

11. **B. O. 05-759** - Consideration of M37-92-05, a Measure 37 claim authorizing Mary Holtan and Joann Shulte to make application to subdivide 133 acres into lots of 5-10 acres each and to establish dwellings thereon.

Mr. Gray read the operative part of the order. Ms. George moved approval of M37-92-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

12. **B. O. 05-760** - Consideration of M37-76-05, a Measure 37 claim authorizing Samuel and Mildred Eastman to make application to subdivide 42 acres into 20 lots of approximately two acres and to establish dwellings thereon.

Mr. Gray read the operative part of the order. Ms. Lewis moved approval of M37-76-05. The motion passed, Commissioners Stern, Lewis, and George voting aye.

#### Employee Recognition

13. **B. O. 05-761** - Consideration of approval of the following bonuses to be awarded to maintenance staff for work on the Moore Building project:

- a. Brian Dunn, Maintenance Supervisor, \$2500;
- b. Joe Melvin, Facilities Maintenance Specialist, \$1750;
- c. Dan Stanhope, Facilities Maintenance Worker 2, \$750;
- c. Bill Hall, Facilities Maintenance Worker 1, \$500.

John Krawczyk compared the situation to a bonus awarded by the Board last year to an Information Systems employee who saved the county over \$25,000 on a PERS programming project. He stated that because the Moore Building project was done in-house, the department saved the county at least \$150,000 from the architect's estimate.

Ms. Stern discussed the possibility of establishing a county policy to encourage and reward employees who go above and beyond their normal responsibilities to save the county money, and to set parameters for bonuses. She emphasized the expectation of all employees to use taxpayer money wisely. Ms. Lewis stressed the importance of maintaining the Board's discretion in such cases rather than setting specific parameters.

After further discussion, Ms. Stern moved to approve the bonuses as listed above. The motion

passed, Commissioners Stern, Lewis, and George voting aye.

Hurricane Katrina

14. **B. O. 05-762** - Consideration of donating surplus county office furniture and equipment to a garage sale to raise money for hurricane victims.

Ms. George moved to approve the donation of the items on the attached list. The motion passed, Commissioners Stern, Lewis, and George voting aye.

Committee

15. **B. O. 05-763** - Consideration of approval of the reappointment of Garold Wertz to the Fair Board for a three-year term to expire September 9, 2008.

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

Contract

16. **B. O. 05-764** - Consideration of approval of a modification of agreement between the Board of Commissioners, the Fair Board, and Staci Collver to reduce the rent payment from \$350 to \$310, retroactive to August 31, 2005.

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

C. **OTHER BUSINESS** (Add-ons and non-consent items): None.

The meeting recessed at 2:52 p.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