

INFORMAL MINUTES

December 5, 2005

2:00 p.m.

Room 108, Courthouse

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

Staff: John M. Gray, Jr., John Krawczyk, Steve Mikami, Rick Sanai, Russ Heath, Dan Linscheid, Susan Mundy, Arnye Gentry, Mark Soderburg, and Jodi Whiting.

Guests: David Bates, News-Register; Frank Schnitzer, DOGAMI; and Cassie Sollars, 520 NW 18th Place, McMinnville.

* indicates item forwarded to formal agenda

Mary called the meeting to order at 2:27 p.m.

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

* Ordinance - Consideration of adoption of Ordinance 776, general provisions for use, construction, and installations in Yamhill County public road rights of way.

Rick stated that the current general provisions ordinance doesn't provide a way to issue citations when problems arise with property owners and utilities companies. He said that the new ordinance allows for citations and incorporates suggestions from the utilities companies. Kathy stated that she hasn't had a chance to review the proposed ordinance yet, but would do so before Wednesday.

* Road Vacation - Approve Public Works Docket RV-8-2005, vacation of a public road in the Hobsons Fruitland Rearrangement, no hearing necessary under ORS 368.351.

Kennel Definition - Rick stated that the zoning ordinance and the dog control ordinance have two different definitions of a kennel. He proposed that the zoning ordinance be amended to adopt the definition as stated in the dog control ordinance, which was taken from state regulatory language. Jodi read the proposed definition and discussed kennel fees and the differences between hobby and commercial kennels. Rick stated that when a property owner has a kennel, Jodi is able to go on the property to investigate animal welfare issues and prevent problems before they escalate to the level of needing a criminal warrant.

Leslie stated that changes to the zoning ordinance usually go to the Planning Commission, which has had some lively discussions in the past about kennels. Kathy agreed that it would be better to have the Planning Commission address this issue first. Rick will ask Mike to put the item on the agenda for the next meeting.

* Vehicles - Authorize the purchase of a new 2006 Ford Taurus from Chuck Colvin Ford for the HHS Department, \$13,805.

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2:00 p.m.

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Lambert Bend Update - Frank Schnitzer, Department of Geology and Mineral Industries (DOGAMI), gave a PowerPoint presentation on the Lambert Bend project, showing pictures of work being done, project costs, and plans for the future. He stated that the rock sill structure is finished and should slow down erosion during flooding as a temporary solution while long-term plans are made. He said that the next step is to look for grant opportunities to fund a conceptual plan evaluation. The Board expressed their appreciation for the great work that DOGAMI has accomplished in such a short time.

* Contracts - See agenda for details.

Radio Tower - The Board discussed a draft of a letter Mary had written to Paul Wells addressing the county's plans regarding the Mountain Top West tower. Leslie stated that her concern is to avoid foreclosing the county's options to install additional hardware on the tower if it becomes necessary.

Special Session - The Board scheduled a special formal session for December 22, 2005 at 10:00 a.m. to approval a loan agreement for the HHS Evans Street Campus. They agreed that the authorized officials to sign for loan drawdowns would be John Krawczyk, Julia Staigers, Chris Johnson, and Laura Tschabold.

* Surplus - Declare a list of 450 MHz tower equipment as surplus property to be sold on eBay to the highest bidder. See attached list. It was noted that the equipment was not purchased with funds from the Homeland Security Grant.

* Budget Transfer - Approve a transfer of appropriation authority and funds for the Healthy Start program:

From	010-092-950.01	Contingency	\$8000
To	010-090-900.07	Transfer to Mental Health	\$8000

* Refund - Authorize a refund of \$73.28 from Public Health to Stephanie Armstrong.

* Dumbwaiter Bids - Reject bids opened November 3, 2005 for the Stern Building dumbwaiter project. John K noted that the cost of a ramp would not be significantly lower than that of a dumbwaiter. Mary stated that a ramp would make the basement more accessible.

Inmate Labor - The Board discussed a proposed contract for grounds maintenance at Bald Peak State Park, which had been postponed from earlier in the year at the Board's request. Leslie expressed her concerns about using inmate labor for outside contracts when the county's many internal needs should be the first priority. She stated that the Board still needs to discuss the issue with Richard Sly and Ken Huffer. Mary will contact Richard and Ken.

Judge Tichenor Reimbursement - Mary stated that Judge Tichenor is satisfied with the suggestion to wait for the Supreme Court's ruling before making a decision regarding reimbursement of legal expenses. She said she has asked Brad Berry to help her draft a letter to other district attorneys requesting them to advocate with their commissioners for contributions to help reimburse Judge Tichenor because his case will affect all Oregon counties.

Declaration of Funds - Mary stated that the tribe will not be reimbursing the county for the \$3000 cost for veterans' medals. She suggested talking to them again to see if they would be willing to share the cost. Mary and Kathy declared that the balance of their discretionary funds would be used for the medals. John K stated that he could make up the difference from non-departmental revenues. [Note: Mary's discretionary fund balance was \$1119.53 and Kathy's was \$1679.53.]

PERS Rate Pool - Mary presented an invitation for Yamhill County to join the state and local government PERS pool. John K suggested that the Board reconsider the issue again next year because it may not be the best option this year if the county is carrying an actuarial surplus.

HHS Houses - John G will prepare an order for next week declaring the McNamee and Prevention houses on Davis Street as surplus county property and will prepare a request for proposals to buy the houses. The Board agreed that if there are no responses, the houses could be given away.

* Measure 37 - John G stated that of the eleven Measure 37 claims for which Mike has prepared staff reports, the earliest deadline is not until February. Mary and Leslie agreed that giving the claimants the option to suspend the Measure 37 timelines until they want to reinstate them or until the Supreme Court makes its decision would be the best plan. Leslie pointed out that this would provide a way for claimants to stop the meter on attorney's fees.

Kathy stated that she would prefer to go ahead and process the remaining 50 claims which have been submitted because sending out letters would be expensive and time-consuming and doesn't appear to benefit citizens. She stated that letters could be sent out to any claimants for which a public hearing has been scheduled so they can have the means to save attorney fees. Leslie will talk with Mike again to clarify his position on the issue.

Evidence Locker - John K stated that the room under the Jail which is being used by Brian Dunn for boneyard storage could be used for an evidence locker if Brian moves his storage to the new CCF house.

Volunteer Mileage - John K stated that any mileage reimbursement over the IRS approved rate would be considered taxable income. He noted that this issue will be discussed at Management Round Table tomorrow morning.

The meeting adjourned at 4:31 p.m.

Anne Britt
Secretary