

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 December 21, 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 was John M. Gray, Jr., County Counsel; Rick Sanai, Assistant County Counsel; John Krawczyk, Administrative Services Director; Steve Mikami, Personnel Officer; Barbara Stanley, Commissioners’ Officer; Carol White, County Counsel’s Office; Richard Sly, Community Corrections Director; Barbara Paladeni, Angie Donahoo, and Peg Bannister, Community Corrections; Sarah Jane Owens, Thomas Delzell, Roma Fuerst, Michelle Bernards, and Matthew Jaqua, HHS; Lt. Ron Huber, Lt. Paul May, Duane McCommons, Betti Spencer, and Kellye Fetters, Sheriff’s Office; Cole Fetters; Caren Anderson, Commission on Children and Families; Brad Berry, District Attorney; Cynthia Easterday, District Attorney’s Office; Murray Paolo, Information Services Director; David Bousquet, IS/GIS; Jack Schultz, Facilities Maintenance; David Bates, News-Register; and Henry Reeves, 22250 Boulder Crest Lane SE, Amity.

Commissioner Stern called the meeting to order.

YEARS OF SERVICE AWARDS:

15 years - Jill Olson, Cynthia Easterday

12 years - Patrick Major

10 years - Caren Anderson, Thomas Delzell, Angie Donahoo, Roma Fuerst, Tim Loewen, John Lynch, Sarah Jane Owens, Jennifer Robertson, Jack Schultz, Amy Hamilton, Aaron Whitmore, Gaylor Williams

6 years - Bob Gilson

5 years - Peter Akimo III, Carol Benek, Michelle Bernards, David Bousquet, Alicia Eagan, Richard Geist, William Hall, Jr., Sarah Budzik, Eric Harris, Teresa Hart, Matthew Jaqua, Jacob Jones, Stephen Kindel, Sherrie Mathison, Duane McCommons, John Parrow, Ronald Prebe, Janet Ridgley, Kathrina Rutschman, Barbara Smith, Betti Spencer, Stewart Stout, Gordon Tjaden, Billie Jo VanSambeek

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.

Henry Reeves stated that the Board has an information censorship tsar in its midst. He explained that he had left copies of a news article for each of the Commissioners to read, but those copies had not been distributed because it was deemed to be ex-parte communication. Ms. Stern stated that because at least one of the Newberg-Dundee Bypass cases has been appealed to the Land Use Board of Appeals, copies of the article were sent to the Planning Department and will be given to the Board at a later time. Ms. Lewis stated that she had read the article previously and doesn’t believe it has anything to do with land use. John Gray

stated that it would be appropriate to discuss the issue in an executive session later. Mr. Reeves submitted a copy of the article to Mr. Gray, who said he would study it carefully and determine if it is ex-parte contact.

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. 05-1023** - November 30, 2004
- b. **B. O. 05-1024** - December 21, 2004
- c. **B. O. 05-1025** - April 27, 2005
- d. **B. O. 05-1026** - July 6, 2005
- e. **B. O. 05-1027** - July 20, 2005
- f. **B. O. 05-1028** - July 27, 2005
- g. **B. O. 05-1029** - July 29, 2005
- h. **B. O. 05-1030** - August 3, 2005
- i. **B. O. 05-1031** - August 17, 2005
- j. **B. O. 05-1032** - August 18, 2005
- k. **B. O. 05-1033** - August 24, 2005
- l. **B. O. 05-1034** - August 31, 2005
- m. **B. O. 05-1035** - September 7, 2005
- n. **B. O. 05-1036** - September 8, 2005
- o. **B. O. 05-1037** - September 14, 2005
- p. **B. O. 05-1038** - September 21, 2005
- q. **B. O. 05-1039** - September 28, 2005
- r. **B. O. 05-1040** - October 5, 2005
- s. **B. O. 05-1041** - October 12, 2005
- t. **B. O. 05-1042** - October 19, 2005

2. Approve the following informal session minutes:

- a. **B. O. 05-1043** - August 29, 2005
- b. **B. O. 05-1044** - September 26, 2005
- c. **B. O. 05-1045** - September 27, 2005 (work session)
- d. **B. O. 05-1046** - October 24, 2005
- e. **B. O. 05-1047** - October 17, 2005 (work session)
- f. **B. O. 05-1048** - October 24, 2005 (work session)

Personnel

3. **B. O. 05-1049** - Approve the employment of Garth Lund, Salem, as on-call relief in the Juvenile Department, \$7.50/hour, effective December 21, 2005.

4. **B. O. 05-1050** - Approve the employment of the following individuals in HHS Adult Mental Health, temporary on-call, effective December 24, 2005 through December 24, 2006:

- a. Stephanie Brown, HS Specialist 1, Range 17, Step 1;
- b. Tracey Morgan, HS Associate, Range 14, Step 1;
- c. Roy Sides, HS Associate, Range 14, Step 1.

5. **B. O. 05-1051** - Approve the change of status of Peggy Otto to .75 FTE in HHS Chemical Dependency, effective January 15, 2006.
6. **B. O. 05-1052** - Approve the change of status of Kathleen Mateer to temporary full-time employment in HHS Chemical Dependency, effective January 15, 2006 through March 7, 2006.
7. **B. O. 05-1053** - Approve the change of status of Laura Foufos to Range 19, Step 1 in HHS Adult Mental Health, effective January 9, 2006.
8. **B. O. 05-1054** - Approve a Board Order clarifying the Board's intent in providing PERS police and fire membership for members of the Federation of Oregon Parole and Probation Officers (FOPPO), effective July 1, 1990.

Contracts

9. **B. O. 05-1055** - Approve Amendment #3 to Agreement #105804 between Public Health and Oregon Department of Human Services.
10. **B. O. 05-1056** - Accept a fee proposal from RSS Architecture for design consulting services regarding building permit documents for the courthouse remodel project, \$17,740, effective December 21, 2005.
11. **B. O. 05-1057** - Authorize the amended and restated agreement for the Regional Automated Information Network (RAIN), retroactive to July 1, 2005.
12. **B. O. 05-1058** - Authorize an amendment to the adoption agreement between Yamhill County and Diversified Investment Advisors, Inc. to comply with IRS automatic rollover provisions, retroactive to March 28, 2005.
13. Approve the following agreements between Yamhill County and Teamsters Local 223, retroactive to July 1, 2004:
 - a. **B. O. 05-1059** - Oregon Teamster Employers Trust (OTET) Subscription Agreement;
 - b. **B. O. 05-1060** - OTET Agreement for Participation of Non-Bargaining Unit Employees.
14. **B. O. 05-1061** - Approve a declaration of provisional notice of termination of Yamhill County's continued participation in the Yamhill Communications Agency (YCOM).
15. **B. O. 05-1062** - Approve a Cooperative Agreement between the District Attorney's Office and Oregon Department of Justice regarding implementation of child support enforcement services.

Refund

16. **B. O. 05-1063** - Approve a \$115 refund from the Planning Department to Sherry Collett.

Committees

17. **B. O. 05-1064** - Approve the appointment of Dale Stepper to the Commission on Children and Families to fill a vacated lay member position, term to expire November 1, 2009.

Policy

18. **B. O. 05-1065** - Amend the Policy on County Computers (Including Internet Usage) to recognize certain exceptions for official law enforcement activities, effective December 21, 2005.

Surplus Property

19. **B. O. 05-1066** - Declare houses on 602 and 616 NE Davis Street, McMinnville, as surplus county property to be disposed of by the Health & Human Services Director.

Measure 37

20. **B. O. 05-1067** - Authorize a waiver of filing fees for the reconsideration of M37-100-05, applicant Ralph Schoof.

C. **OLD BUSINESS:** None.

1. **B. O. 05-1068** - Consideration of adoption of Ordinance 777 in support of Planning Docket PAZ-05-04, a request for zone change from Low Density Residential to Neighborhood Commercial to allow a motorcycle repair shop in conjunction with the existing motorcycle parts store, applicants Jeff and Tammy Coffman, as tentatively approved December 7, 2005.

Rick Sanai provided the first and second readings of Ordinance 777 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):

1. **B. O. 05-1069** - Consideration of approval of the transfer of appropriation authority:

From	030-052-611.02	\$28,845	Materials & Services
To	030-052-801.23	\$28,845	Capital

John Krawczyk explained that this is simply a technical correction in the budget. Ms. Lewis moved approval of the transfer. The motion passed, Commissioners Stern, Lewis, and George voting aye.

2. **B. O. 05-1070** - Consideration of approval of the extension of benefits of the 2005-08 FOPPO economic settlement to non-bargaining parole and probation officers in Community Corrections.

Mr. Gray stated that this would apply to Director Richard Sly and Division Manager Barbara Paladeni and would extend to them certification pay and an additional \$100/week for carrying a county cell phone.

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

3. **B. O. 05-1071** - Consideration of approval of the formation of a residence district and 25 mph speed zone on Grand Island Road from its intersection with Wallace Road to the west end of the Lambert Slough Bridge.

Ms. Lewis stated that the road could not be considered by the Speed Control Board because of its traffic volume, but it does meet the test for a residence district, and thirteen out of sixteen residents have expressed their support. She moved approval of the formation of the residence district. The motion passed,

Commissioners Stern, Lewis, and George voting aye.

E. PUBLIC HEARINGS:

1. Consideration of ten-year franchise extensions of Newberg Garbage & Recycling and Newberg Transfer & Recycling, as continued from December 14, 2005 at the point of deliberation. *[Newberg Garbage & Recycling postponed due to an error in the legal notice; Newberg Transfer & Recycling tentatively approved, findings to be adopted January 10, 2006.]*

Ms. Stern moved tentative approval of the franchise extension for Newberg Transfer & Recycling, with findings to be adopted January 10, 2006. The motion passed, Commissioners Stern, Lewis, and George voting aye.

F. ANNOUNCEMENTS:

1. The following positions are open to the public. Contact the Commissioners' Office for applications.
 - a. Local Alcohol and Drug Planning Council, one position;
 - b. Ambulance Service Area Committee, one position for a member of the public;
 - c. Parks Board, two positions.
2. Northwest Senior & Disability Services has openings for Yamhill County residents on the following regional councils:
 - a. Senior Advisory Council, one position;
 - b. Disability Services Advisory Council, one position.

For more information, contact Rob Johnstone at (503)304-3451 or by e-mail at Rob.Johnstone@state.or.us.

3. A special formal session of the Board of Commissioners will be held December 22, 2005 at 10:00 a.m. in Room 108 of the courthouse.

20-MINUTE VIDEO PRESENTATION ON THE MILITARY IN AFGHANISTAN

The meeting adjourned at 9:53 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair	MARY P. STERN
Commissioner	LESLIE LEWIS
Commissioner	KATHY GEORGE