

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 March 8, 2006 at 9:00 a.m. in Room 32 of the Courthouse, Commissioners Leslie Lewis, Kathy George, and Mary P. Stern being present.

Also present was Rick Sanai, Assistant County Counsel; Laura Tschabold, Administrative Services; Mike Brandt, Planning Director; Jack Crabtree, Sheriff; Ron Huber, Lieutenant; Cassie Sollars, candidate for Commissioner; David Bates, News-Register; Marilyn Reeves, PO Box 1083, McMinnville; Steve Macartney, 901 N. Brutscher Street #D102, Newberg; Michael Schorn, PO Box 373, Banks; and Orville Bernards, 10350 N. Donnelly Lane, McMinnville.

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, representing Friends of Yamhill County, stated that Water Resources doesn't have adequate staffing to monitor groundwater usage and doesn't have the tools to prevent depletion of groundwater supplies from aquifers. She urged the Board to get in touch with staff for the Big Look Committee and make sure that groundwater is included as a focus issue. She also suggested looking into the possibility of holding some Big Look Committee meetings in Yamhill County in order to provide citizens the opportunity to offer insight on what the area should look like in the future.

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

Personnel

1. **B. O. 06-135** - Approve the change of status of Allison Musillami to reduce hours in the Commission on Children and Families to .625 FTE, effective March 9, 2006 through June 8, 2006.

2. **B. O. 06-136** - Approve the change of status of Suzanne Wong to increase hours in HHS Adult Mental Health to .875 FTE, effective March 8, 2006.

3. **B. O. 06-137** - Approve the change of status of John Parrow to Medium Equipment Operator in Public Works, Range 13, Step 2, effective March 9, 2006.

4. **B. O. 06-138** - Approve the change of status of Richard Benjamin to Facilities Maintenance 2 in Community Corrections, Range 13, Step 3, effective March 16, 2006.

Contracts

5. **B. O. 06-139** - Approve Amendment #6 to the 2005-06 Financing Agreement #113258 between HHS Public Health and Oregon Department of Human Services.

6. **B. O. 06-140** - Ratify the approval of Amendment #12 to the 2005-07 Financing Agreement #113020 between HHS and Oregon Department of Human Services, retroactive to February 27, 2006.

7. **B. O. 06-141** - Accept a proposal from A&E Security and Electronic Solutions for the installation of eight card key doors in the Annex, \$10,917.

Measure 37

8. **B. O. 06-142** - Set a hearing date of March 29, 2006 for the consideration of M37-104-05, a Measure 37 claim authorizing Mildred Weatherly to make application to subdivide 28 acres into two-acre lots and to establish dwellings thereon, as suspended on November 30, 2005 at the claimant's request.

**C. OLD BUSINESS:**

1. **B. O. 06-143** - Consideration of approval of M37-118-05, a Measure 37 claim authorizing Harold Bowers and Louayne Reynolds to make application to subdivide 21.05 acres into four or five lots and to establish a dwelling on each vacant lot, as continued from March 1, 2006.

Rick Sanai read the operative part of the order. Ms. Lewis moved approval of M37-118-05. The motion passed, Commissioners Lewis, George, and Stern voting aye. Ms. Lewis noted that with the 1983 ownership date, the claimants would not be able to do the subdivision they want.

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

Personnel

1. **B. O. 06-144** - Consideration of approval of the following changes to the Sheriff's Office personnel management roster, effective March 8, 2006:

- a. Reclassify Michael Saunders from a Corrections Corporal to a Corrections Sergeant;
- b. Add position authority for a full-time Corrections Sergeant position in the Jail for the 2005-06 fiscal year;

Sheriff Crabtree explained that Michael Saunders has been doing the work of a sergeant as much as is allowed, but a reclassification is needed to allow him to conduct performance reviews and disciplinary procedures. He stated that with the return of a corporal position to a deputy position, the net impact of the reclassification would be a savings of \$803.

Ms. Stern moved approval of items D(1)(a) and D(1)(b). The motion passed, Commissioners Lewis, George, and Stern voting aye.

- c. Add position authority for a full-time Deputy position for the 2005-06 fiscal year.

Sheriff Crabtree stated that he is expecting an opening in patrol in June or July and also an increase in the number of deputies contracted by cities, for which he needs to be prepared. He noted that the police academy will be changing in January 2007 from a ten-week course to a sixteen-week course, which will increase training costs. He stated that filling the two positions now would result in a net savings of \$10,695.

#### Measure 37

2. **B. O. 06-145** - Consideration of approval of M37-106-05, a Measure 37 claim authorizing David and Sarah Shelburne to make application to divide 158 acres into two lots and to establish one additional dwelling thereon.

Mr. Sanai read the operative part of the order. Ms. George moved approval of M37-106-05. The motion passed, Commissioners Lewis, George, and Stern voting aye.

3. **B. O. 06-146** - Consideration of approval of M37-108-05, a Measure 37 claim authorizing Arnold Eidsmoe to make application to divide 149.6 acres into three lots, establish a dwelling on each vacant lot, and establish a dwelling on each of two other existing tax lots.

Mr. Sanai read the operative part of the order. Ms. Stern moved approval of M37-108-05. The motion passed, Commissioners Lewis, George, and Stern voting aye.

4. **B. O. 06-147** - Consideration of approval of M37-109-05, a Measure 37 claim authorizing Arnold Eidsmoe to make application to divide 45.7 acres into two lots and to establish dwellings thereon.

Mr. Sanai read the operative part of the order. Ms. George moved approval of M37-109-05. The motion passed, Commissioners Lewis, George, and Stern voting aye.

5. **B. O. 06-148** - Consideration of approval of M37-110-05, a Measure 37 claim authorizing Arnold Eidsmoe to make application to divide 24.1 acres into two lots, establish a dwelling on the vacant lot, and establish a dwelling on each of four other existing tax lots.

Mr. Sanai read the operative part of the order. Ms. Stern moved approval of M37-110-05. The motion passed, Commissioners Lewis, George, and Stern voting aye.

6. **B. O. 06-149** - Consideration of approval of M37-112-05, a Measure 37 claim authorizing Garth and Joyce Confer to make application to establish a dwelling on a five-acre preexisting lot.

Mr. Sanai read the operative part of the order. Ms. George moved approval of M37-112-05. The motion passed, Commissioners Lewis, George, and Stern voting aye.

7. **B. O. 06-150** - Consideration of approval of M37-113-05, a Measure 37 claim authorizing James Miller to apply for a plan amendment/zone change to VLDR 2.5 and subsequently subdivide

the 19.95-acre property.

Mr. Sanai read the operative part of the order. Ms. Lewis noted that if approved, the claimants would still have to get through the state regulations with regard to Goal 14. Ms. George moved approval of M37-113-05. The motion passed, Commissioners Lewis and George voting aye and Commissioner Stern voting no.

8. **B. O. 06-151** - Consideration of approval of M37-117-05, a Measure 37 claim authorizing Roger and Barbara Egan to make application to subdivide 73.52 acres into eighteen residential lots.

Mr. Sanai read the operative part of the order. Mike Brandt pointed out that based on the zoning at the time of acquisition, the claimants would not be able to subdivide the property into the number of lots they want. Ms. George moved approval of M37-117-05. The motion passed, Commissioners Lewis, George, and Stern voting aye.

9. **B. O. 06-152** - Consideration of approval of M37-121-05, a Measure 37 claim authorizing Wayne and Kris Braun to apply for plan amendment/zone change to VLDR 2.5 and subsequently subdivide the ten-acre property.

Mr. Sanai read the operative part of the order. Ms. Lewis noted that this is another case which would have to get through the state regulations with regard to Goal 14. Ms. Stern moved approval of M37-121-05. The motion passed, Commissioners Lewis, George, and Stern voting aye.

10. **B. O. 06-153** - Consideration of approval of M37-124-05, a Measure 37 claim authorizing John and Elisabeth Kroo to make application to divide 31 acres into 2.5-acre lots and to establish dwellings thereon.

Mr. Sanai read the operative part of the order. Ms. Lewis noted for the record that although the neighbors have raised some issues regarding the lot lines, the Board has been advised by counsel that those are civil matters. Mr. Brandt added that the perimeter survey required for a subdivision application should resolve the dispute.

Ms. George moved approval of M37-124-05. The motion passed, Commissioners Lewis and George voting aye and Commissioner Stern voting no.

11. **B. O. 06-154** - Consideration of approval of M37-125-05, a Measure 37 claim authorizing Everett and Ellen Lundsberg to make application to establish a dwelling on a preexisting lot.

Ms. Stern moved approval of M37-125-05. The motion passed, Commissioners Lewis, George, and Stern voting aye.

12. **B. O. 06-155** - Consideration of approval of M37-126-05, a Measure 37 claim authorizing William and Barbara Hutchens to make application to partition three acres into two lots and to establish a dwelling thereon.

Ms. George moved approval of M37-126-05. The motion passed, Commissioners Lewis, George, and Stern voting aye.

13. **B. O. 06-156** - Consideration of denial of M37-102-05, a Measure 37 claim authorizing Richard and Norma Nelson to make application to subdivide 47.74 acres into lots of four to five acres each and to establish dwellings thereon.

Mr. Sanai stated that the subject property was conveyed to Loma Linda University on November 1, 1983, so the claimants are not the current owners for the purpose of Measure 37. Ms. Stern moved denial of M37-102-05. The motion passed, Commissioners Lewis, George, and Stern voting aye.

14. Consideration of approval of modification to a lease agreement between Yamhill County, the Fair Board, and Portland Karting Association to allow the use of motards and to include a cleanup clause. *[Tentatively approved, lease amendment to be adopted March 10, 2006 at 9:00 a.m.]*

Ms. Lewis stated that in order for this new kind of vehicle to be allowed at a potential race date of March 25, 2006, the existing lease needs to be modified. She noted that the Fair Board has already voted unanimously to approve the change.

Mike Schorn, Portland Karting Association, read the proposal given to the Fair Board and stated that the new Supermoto racing series has the potential to generate huge national exposure for McMinnville and Yamhill County and bring outside revenue into local businesses. Steve Macartney, Supermoto USA, provided some background on the spectator-friendly regional series and stated that 200 to 300 riders could be expected at each event. He showed an eight-minute video presentation.

After some discussion, the Board agreed to include a provision in the lease regarding removal of the dirt to restore the track area no later than two weeks prior to the Fair and other times as identified by the Fair Manager with one week's notice.

Ms. Lewis moved tentative approval of the lease modification to allow motards and include the cleanup clause as described above, with formal approval to take place March 10, 2006 at 9:00 a.m. The motion passed, Commissioners Lewis, George, and Stern voting aye.

15. **B. O. 06-157** - Consideration of authorizing the Yamhill County Water Task Force to submit a Rural Investment Fund Grant application for Water Needs Analysis, Phase 1, and allocating \$5000 from the 2006-07 Video Lottery Fund for the cash match

Laura Tschabold presented the request to authorize the grant application and allocate funds (see attachment). Ms. George moved approval of the request. The motion passed, Commissioners Lewis, George, and Stern voting aye.

16. Discussion of economic development funds. *[No action taken.]*

Ms. Stern discussed the Yamhill Valley Visitors Guide and said she would show the

proposed changes to the other commissioners for their approval. She also stated that Water Resources has requested economic development funds in the past and she would make sure they submit a request for the Board's consideration again this year.

17. Discussion of stakeholder working groups for the Newberg-Dundee Bypass. *[No action taken.]*

Ms. Lewis distributed packets to Commissioners George and Stern from yesterday's meeting of the Newberg stakeholder working group and reported that issues for future discussion will include how to realign local streets at each interchange location to meet state law and what zoning to allow around the interchange locations. She stated that the county needs to be represented at each of the stakeholder meetings.

18. Updates on Ballston Bridge and recent landslides. *[No action taken.]*

Ms. Lewis reported that Bill Gille is currently looking for a contractor to do the repair work on Ballston Bridge. She said that he will do a combined Request For Proposals for engineering help with three recent landslides on county roads. She added that he is hoping to get some money from FEMA, but it is unknown if and when that would happen.

E. **PUBLIC HEARINGS:** None.

F. **ANNOUNCEMENTS:**

1. The following positions are open to the public. Contact the Commissioners' Office for applications.

- a. Ambulance Service Area Committee, one position for a member of the public;
- b. Parks Board, three 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](mailto:Rob.Johnstone@state.or.us).

3. The Board will be holding a public hearing tonight at 7:00 p.m. at the Carlton Fire Hall to receive public comment regarding the following proposed ballot measures for the November 7, 2006 general election:

- a. Formation of a new fire district consisting of the City of Carlton and the existing Carlton Rural Fire District; and
- b. A General Obligation Bond for a new Carlton Fire Hall.

4. The Board will be holding a special formal session on Thursday, March 9, 2006, 2:00 p.m. in Room 32 of the Courthouse to conduct public hearings on two Measure 37 claims. Another special formal session will be held on Friday, March 10, 2006, 9:00 a.m. in Room 32 to take action on the two Measure 37 claims.

