

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 May 31, 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 John M. Gray, Jr., County Counsel; John Krawczyk, Administrative Services Director; Mike Brandt, Planning Director; Steve Mikami, Personnel Officer; Murray Paolo, Information Services Director; Joseph Kavale, PO Box 1060, Newberg; Dick Petrone, 4301 Crestview Drive, Newberg; 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. None offered.

B. **AGENDA:**

Personnel

1. **B. O. 06-344** - Consideration of approval of the change of status of the following Information Systems employees, effective July 9, 2006:
  - a. Jane Beals and Jill Olson, Senior Programmer Analyst, Range 26;
  - b. Nancy Keim, Senior Operator Programmer, Range 21.

Murray Paolo stated that these reclassifications had been discussed during the budget process and he has confirmed that the salary ranges have been assigned. He noted that the Board had also discussed increasing his department’s discretionary revenue to cover the cost of the reclassifications. John Krawczyk confirmed that funds had been set aside in contingency for this purpose and stated that the increase in discretionary revenue would be included in the adopted budget.

Ms. Lewis moved approval of the change of status of Jane Beals, Jill Olson, and Nancy Keim. The motion passed, Commissioners Lewis, George, and Stern voting aye. Ms. Lewis expressed her gratitude for the hard work of the IS department. Mr. Paolo expressed his appreciation to these employees for their patience.

Budget

2. Consideration of a request to increase the 2006-07 discretionary fund allocation for

Information Systems by \$8358 to cover the above reclassifications. *[To be included in revised budget.]*

3. **B. O. 06-345** - Consideration of approval of the transfer of appropriation authority to cover remodel and moving expenses for the Board of Commissioners' move to the Fenton House:

From	10-39-801.19 Non-Departmental Equipment Purchase	\$25,000
To	10-13-699.27 Moving Expenses	\$10,000
	10-13-900.04 Transfer to Capital Improvement	\$15,000

Mr. Krawczyk explained that this will allow unappropriated resources to be used for expenses, some of which have already been incurred. Ms. George moved approval of the transfer of appropriation authority. The motion passed, Commissioners Lewis, George, and Stern voting aye.

#### Contracts

4. **B. O. 06-346** - Consideration of approval of a membership agreement between Yamhill County and National Joint Powers Alliance for contract purchasing benefits.

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

5. **B. O. 06-347** - Consideration of approval of the 2006-07 Intergovernmental Agreement #117553 between HHS Public Health and Oregon Department of Human Services for the financing of public health services, \$468,035.

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

#### Committees

6. Acknowledgment of Commissioner Stern's appointment to the Construction Contractors Board by Governor Kulongoski for a term beginning July 1, 2006. *[No formal action taken.]*

Ms. Stern stated that this will be a good opportunity to help local contractors as well as counties and citizens, in light of the all the development going on. *[Note: Ms. Stern later withdrew her name for consideration of appointment until November 2006 in order to focus on the meth levy.]*

#### Roads

7. **B. O. 06-348** - Consideration of approval of the imposition of a 30 mph speed limit for passenger vehicles and a 25 mph speed limit for other vehicles on a portion of Niederberger Road, as recommended by the Oregon Department of Transportation, effective immediately.

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

8. **Tabled** - Consideration of a request to approve a residential district on Earlwood Road from mile post 0.84 to the intersection with Kramien Road.

Mr. Gray stated that this portion of Earlwood Road is not a collector road and qualifies for a residential district. The Board agreed to table the request until the Public Works Director can confirm that notices were sent to residents.

Measure 37

9. **B. O. 06-349** - Consideration of approval of M37-148-05, a Measure 37 claim authorizing John and Anna Hoskins to make application to divide 13.22 acres into three lots and to establish a dwelling on each vacant lot.

Mr. Gray read the operative part of the order. Ms. Stern moved approval of M37-148-05. The motion passed, Commissioners Lewis, George, and Stern voting aye.

10. **B. O. 06-350** - Consideration of approval of M37-149-05, a Measure 37 claim authorizing Perry Kimberly to make application to divide 34.2 acres into four lots and to establish a dwelling on each vacant lot.

Mr. Gray read the operative part of the order. Ms. George moved approval of M37-149-05. The motion passed, Commissioners Lewis, George voting aye and Commissioner Stern voting no because this would constitute a subdivision.

11. **B. O. 06-351** - Consideration of approval of M37-150B-05, a Measure 37 claim authorizing Lazy H Ranch, LLC et. al. to make application to subdivide 851 acres into lots of one or more acres and to establish dwellings thereon.

Mr. Gray stated that a supplemental application has been attached to the record and the list of claimants now includes trustees of the living trust as well as Lazy H Ranch, LLC. He stated that the Department of Land Conservation and Development (DLCD) has recognized irrevocable trusts in determining date of ownership, but this parcel is owned by the LLC, not by the trust. He recommended going with the December 23, 1997 date of ownership. Mike Brandt stated that since the claimants already have fourteen or fifteen legitimate lots, they would only be able get a couple more at the most. Mr. Gray noted that Polk County had a similar case with Spring Valley, LLC, and DLCD denied the claim because no land use regulations had been enforced after the date of the LLC ownership.

Ms. Lewis moved approval of M37-150B-05. The motion passed, Commissioners Lewis, George, and Stern voting aye.

12. **B. O. 06-352** - Consideration of approval of M37-151-05, a Measure 37 claim authorizing Robert and Mary Schmitt to make application to establish a dwelling on 54.85 acres.

Ms. Stern moved approval of M37-151-05. The motion passed, Commissioners Lewis, George, and Stern voting aye.

13. **B. O. 06-353** - Consideration of approval of M37-51B-05, modifying a previously approved Measure 37 claim by Walter and Toni Mendenhall.

Ms. George moved approval of M37-51B-05. The motion passed, Commissioners Lewis, George, and Stern voting aye. Ms. Stern noted that although she usually votes no on subdivisions, this property was zoned AF-10 for a period of time and the applicant is seeking to return to that.

14. **B. O. 06-354** - Consideration of approval of M37-53B-05, modifying a previously approved Measure 37 claim by Elizabeth Mendenhall.

Ms. Stern moved approval of M37-53B-05. The motion passed, Commissioners Lewis, George, and Stern voting aye. Mr. Gray stated that the applicant's attorney has clarified that his request was to withdraw the original claim. He said the order will be modified to clarify the reference to the original claim.

C. **OLD BUSINESS:** None.

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

1. **B. O. 06-355** - Consideration of authorizing the 2006 Homeland Security Grant application for Yamhill County.

Ms. Lewis discussed the details of the projects included in the grant and moved to authorize the application by the county and collaborating first responder agencies. The motion passed, Commissioners Lewis, George, and Stern voting aye.

2. **B. O. 06-356** - Consideration of approval of the employment of Michael McClinton, McMinnville, as Extra Help in Maintenance, temporary part-time, \$12/hour, effective May 31, 2006 through August 31, 2006.

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

E. **PUBLIC HEARINGS:**

1. **B. O. 06-357** - Consideration of the surrender of jurisdiction to the City of Newberg over portions of Crestview Drive. *[Formal offer to City of Newberg approved.]*

Ms. Lewis opened the public hearing. Mr. Gray provided background information and stated that the formal offer will include the transfer of jurisdiction and the removal of the restriction regarding construction of the roundabout.

Dick Petrone expressed his support of the proposed order and thanked the Board on behalf of the homeowners' association for this solution to protect the water system and the livability of the neighborhood. Ms. Lewis thanked the association for coming up with the solution and for all of its hard work.

Ms. Lewis closed the public hearing and moved approval of the offer to surrender jurisdiction. The motion passed, Commissioners Lewis, George, and Stern voting aye. Mr. Gray explained that the transfer of jurisdiction will become effective upon adoption by the Newberg City Council.

**F. ANNOUNCEMENTS:**

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

- a. Parks Board, two positions;
- b. Commission on Children & Families, one youth position and one alternate position.

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 Sally Lawson at (503)304-3473 or by e-mail at [Sally.Lawson@state.or.us](mailto:Sally.Lawson@state.or.us).

The meeting adjourned at 9:58 a.m.

Anne Britt  
Secretary

**YAMHILL COUNTY BOARD OF COMMISSIONERS**

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Chair LESLIE LEWIS

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Commissioner KATHY GEORGE

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Commissioner MARY P. STERN