

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 June 14, 2006 at 9:00 a.m. in Room 32 of the Courthouse, Commissioners Kathy George and Mary P. Stern being present and Commissioner Leslie Lewis being excused for the beginning of the meeting to give an update on the Newberg-Dundee Bypass to the Chehalem Chamber Government Affairs Committee. She joined the meeting in progress.

Also present was John M. Gray, Jr., County Counsel; John Krawczyk, Director of Administrative Services; Cassie Sollars, candidate for Commissioner; Terry Lucich, Carlton Fire Chief; David Bates and Wanda McAllister, News-Register; Wendy Crawford, 1330 N. Kings Valley Hwy, Dallas; Jon Barch, 14301 SW Wallace Road, Dayton; and Dolores Richardson, 14375 SE Kimsey Road, Dayton.

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

Personnel

1. **B. O. 06-368** - Ratify the emergency employment of Tonya Zindel, Salem, as Corrections Reserve in the Jail, part-time on-call, \$10/hour, retroactive to June 12, 2006.

2. **B. O. 06-369** - Ratify the emergency employment of Dennis Gronich, Newberg, as Registered Nurse 2 in the Jail, part-time on-call, \$35/hour, retroactive to June 12, 2006.

3. **B. O. 06-370** - Approve the employment of Steven Baldwin, Salem, as Cartographer in the Assessor’s Office, regular full-time, Range 13, Step 1, effective July 3, 2006.

4. **B. O. 06-371** - Approve the change of status of Nancy Heins, HHS Public Health, to place her on summer leave, effective June 15, 2006 through August 15, 2006.

5. **B. O. 06-372** - Approve an extended leave of absence for Allison Musillami, Commission on Children & Families, effective June 15, 2006 through July 15, 2006.

6. **B. O. 06-373** - Approve the change of status of the following individuals to extend temporary on-call employment in HHS Abacus, effective July 1, 2006 through June 30, 2007:
 - a. Mary Jake, Range 14, Step 2;
 - b. Theresa Koenig, Range 14, Step 1.

7. **B. O. 06-374** - Approve the change of status of the following individuals to Juvenile Corrections Technicians in the Juvenile Department, Range 12, Step 1, effective June 25, 2006:
 - a. Bryan Smith, regular part-time, \$12.87/hour;
 - b. Jordan Paulino, regular part-time, \$12.87/hour;
 - c. Tina Trenholm, regular part-time, \$12.87/hour;
 - d. Raymond Jones III, regular full-time, \$2232.59/month;
 - e. Travis Anderson, regular full-time, \$2232.59/month.

8. **B. O. 06-375** - Approve a contract employee agreement between the Planning Department and David W. Willard for building inspection services, \$22/hour, effective June 15, 2006.

Contracts/Grants

9. **B. O. 06-376** - Ratify the approval of Amendment #1 to Contract #0405087 between HHS Public Health and Multnomah County, not to exceed \$1108 for the renewal period, effective July 1, 2006 through June 30, 2007.
- 10.

11. **B. O. 06-377** - Approve an intergovernmental agreement between the Sheriff's Office and Dayton School District for one full-time School Resource Officer, effective July 1, 2006 through June 30, 2007.

12. **B. O. 06-378** - Approve a grant agreement between Yamhill County and the Mid-Willamette Valley Council of Governments (COG) for a Water Needs Analysis, \$50,000, effective through June 1, 2007.

13. **B. O. 06-379** - Approve Grant Agreement #22707 between Yamhill County and Oregon Department of Transportation for vehicle purchases, not to exceed 17% of allowable costs or \$33,145, retroactive to July 1, 2005 through June 30, 2007.

14. **B. O. 06-380** - Authorize HHS Public Health to apply for a physical activity and nutrition grant from Northwest Health Foundation, \$25,000.

Committees

15. **B. O. 06-381** - Approve the reappointment of Brad Myers to the Planning Commission for a four-year term to expire June 30, 2010.

Parks

16. **B. O. 06-382** - Accept a donation of approximately twelve acres from Weyerhaeuser Company, to be added to Metsker Park.

The Board agreed to hold the Carlton Fire District public hearing at this time in Ms. Lewis' absence.

C. **OLD BUSINESS:**

1. **Tabled** - Consideration of a request to approve a residential district on Earlwood Road from mile post 0.84 to the intersection with Kramien Road, as continued from June 7, 2006. *[Continued pending notification of neighbors.]*
2. **B. O. 06-383** - Consideration of adoption of a revised rate schedule for Western Oregon Waste, effective July 1, 2006, as tentatively approved June 7, 2006.

Ms. George moved to adopt the revised rate schedule. The motion passed, Commissioners Lewis and George voting aye and Commissioner Stern abstaining because of an actual conflict of interest.

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

1. **B. O. 06-384** - Consideration of approval of the 2006-07 Fee Policy for Health & Human Services, effective July 1, 2006.

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

2. **B. O. 06-385** - Consideration of approval of the change of status of Leofuldo Tblanza as on-call relief in the Juvenile Department, Range 12, Step 1, \$12.87/hour, retroactive to June 11, 2006.

Ms. Stern moved approval of the change of status of Leofuldo Tblanza. The motion passed, Commissioners Lewis, George, and Stern voting aye.

3. **B. O. 06-386** - Consideration of adoption of Ordinance 788 implementing ORS 565.225 relating to removal of Fair Board members by the Board of Commissioners.

John Gray explained that the ordinance defines the process and lists grounds for removal of Fair Board members. He provided the first and second readings of Ordinance 788 by title only, declaring an emergency. Ms. Lewis moved approval of the ordinance. The motion passed, Commissioners Lewis, George, and Stern voting aye.

4. **B. O. 06-387** - Consideration of adopting an order providing a statement of cause for potential removal of Larry Collver from the Fair Board and notice of public hearing on June 26, 2006 to consider removal.

Mr. Gray summarized the content of the order, stating that the potential removal of Mr. Collver is based on grounds of incompatibility. He expressed his hope that another resolution will be reached before the public hearing takes place.

Ms. Lewis moved to adopt the order. Ms. Stern stated that after talking with many members

of the Fair Board, FFA, and 4-H, it is clear that mediation is not an option at this point, although it may have been earlier on. She said that it would be beneficial to postpone the initiation of the removal process for a week while she continues working with Mr. Collver to get him to resign.

Ms. Lewis stated that although resignation would be a better resolution than a public hearing, it is important to support the Fair Board members who feel that the process should not be delayed. She added that Ms. Stern can continue to work with Mr. Collver regarding his resignation. Ms. George expressed her hope that Ms. Stern's efforts are successful, but stated that Fairgrounds users, Fair volunteers, and members of the FFA, 4-H, Posse, and community have expressed unanimous support over the last two days of initiating the removal process.

Ms. Stern stated that it is unacceptable that she and Ms. George were not included in the serious conversations that took place last year about this issue and that the situation has been allowed to continue this long. Ms. Lewis stated that she had been assured by Mr. Collver last year that things were going to change and she honestly believed the situation would improve.

The motion to adopt the order passed, Commissioners Lewis and George voting aye and Commissioner Stern voting no. Ms. Stern stated that she would continue to work to get Mr. Collver to resign.

5. Consideration of approval of the reappointment of Daryl Garrettson to the Planning Commission for a four-year term to expire June 30, 2010. *[Continued to June 21, 2006.]*

6. **B. O. 06-388** - Consideration of authorizing the purchase of a new postage machine, meter rental, and service contract from Pitney-Bowes, \$48,058.39.

John Krawczyk stated that Julia Staigers had attempted to contact the only other vendor who sells postage machines and had received no response. Ms. Lewis moved to authorize the purchase, meter rental, and service contract. The motion passed, Commissioners Lewis, George, and Stern voting aye. Ms. Stern noted that the cost to rent a machine would have been \$14,000 higher than the cost to purchase over the lifetime of the machine.

E. PUBLIC HEARINGS:

1. **B. O. 06-389** - Consideration of a petition for formation of a new Carlton Fire District, establishment of a permanent tax rate, and \$1.2 million bonding authority for capital construction. *[Petition approved at first hearing, second hearing set for July 5, 2006 at 2:00 p.m., Room 32 of the Courthouse.]*

Ms. George opened the public hearing. Mr. Gray provided background information and stated that the Board needs to determine if the petition should go to a second hearing and whether the new territory would be benefitted by the formation of a new district. He said that at the time the ballot titles are filed by the Board, the County Clerk will publish the opening for nominations for members of the district board. There being no public comment, the hearing was closed.

Ms. Stern moved to approve the petition at this first hearing and set the second hearing for July 5, 2006 at 2:00 p.m. She stated that she believes the number of signatures collected in support of the petition show that this would be beneficial to both the city and rural members of the Carlton

community. She apologized to Chief Lucich for not being able to help collect signatures. Ms. George expressed her appreciation for the community's effort to do this by petition and stated that she is pleased to be able to put it on the ballot.

The motion to approve the petition passed, Commissioners George and Stern voting aye. Mr. Gray stated that assuming the Board approves the petition at the second hearing on July 5, 2006, the ballot titles will be adopted on July 12, 2006.

The meeting recessed at 9:13 a.m. and reconvened at 9:31 a.m.

2. Consideration of a request for a residential district on portions of Alderman Road, as continued from May 17, 2006. *[Continued to July 26, 2006 at the point of deliberation.]*

Ms. Lewis opened the public hearing. Mr. Gray noted that testimony had already been heard from one person on May 17, 2006. Ms. Lewis added that a letter had also been submitted for the record last week.

Jon Bartch, General Manager of Carlton Plants, stated that his nursery operates on several parcels along Alderman Road and he is not necessarily opposed to a speed reduction, but 25 mph, which is the only option, is too slow for a rural road. He said that most of the traffic on the road is related to production going on in that area and he would be comfortable leaving the speed limit as it is now. He said that he is not aware of any history of accidents involving his vehicles. He noted that Merrill Denney has fences and shrubbery close to the road that contribute to his lack of visibility.

Dolores Richardson stated that she is opposed to a 25 mph speed zone because it seems inappropriate for the agricultural area and she has never seen an accident in the 55 years she has been driving on Alderman Road. She added that she is not comfortable traveling at 55 mph and usually drives at 35-45 mph in that area.

Ms. Lewis closed the public hearing. Ms. Stern stated that although she has been on Alderman Road, she would like to visit the specific portions under consideration to see if there might be another solution to the visibility problem discussed by Mr. Denney. She suggested having Bill Gille send out surveys to the residents along the road. Ms. Lewis stated that the Speed Control Board would not do a speed study on a road with this volume of traffic.

Ms. Lewis moved to continue the discussion to July 26, 2006 and stated that in the meantime, the Board would go on a site visit with Mr. Gille and discuss other solutions and the possibility of sending out another survey. The motion passed, Commissioners Lewis, George, and Stern voting aye.

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.

