

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, OREGON (the "Board") sat for the transaction of county business in regular formal session on Wednesday, August 30, 2006 at 10:00 a.m. in Room 32 of the courthouse, Commissioners Leslie Lewis, Kathy George, and Mary P. Stern being present.

Also present were John M. Gray, Jr., County Counsel; John Krawczyk, Administrative Services Director; Laura Tschabold, Grant Writer; Lt. Ken Summers, Sheriff's Office; Bob Maca, Emergency Management; Bill Gille, Public Works Director; Dave Lawson, Assessor; Bruce Tindall, Chief Appraiser; and David Mihm, 21700 Cove Orchard Road, Yamhill.

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.

In response to a question by David Mihm about the Cove Orchard Sewer Service District meeting held immediately prior to this meeting, Ms. Lewis clarified that "district residents" would include district property owners living elsewhere.

B. **CONSENT AGENDA:** Commissioner Stern moved approval of the consent agenda, omitting B(14), inserting the word "and" on B(6), and correcting the tax lot number on B(13). The motion carried, Commissioners Lewis, George, and Stern voting aye.

Personnel

1. **B. O. 06-593** - Approve the following changes to the Sheriff's Office personnel management roster, Court Security Fund 49, effective September 9, 2006:
  - a. Add one full-time Sergeant position;
  - b. Delete .65 FTE Deputy position.

Contracts

2. **B. O. 06-594** - Approve an agreement between HHS Family & Youth and Willamina School District for a full-time Mental Health Specialist, not to exceed \$36,491, effective September 1, 2006 through August 31, 2007.
3. **B. O. 06-595** - Approve an agreement between HHS Adult Mental Health and Accountable Behavioral Health Alliance for limited psychiatric services on behalf of Lincoln and Benton counties, \$15,386/year, retroactive to July 1, 2006.

4. Ratify the approval of the following amendments to the 2005-07 Financing Agreement #113020 between Health & Human Services and Oregon Department of Human Services, retroactive to August 16, 2006:
  - a. **B. O. 06-596** - Amendment #20;
  - b. **B. O. 06-597** - Amendment #22.
5. **B. O. 06-598** - Approve Amendment #23 to the 2005-07 Financing Agreement #113020 between Health & Human Services and Oregon Department of Human Services for changes in services to individuals with developmental disabilities.
6. **B. O. 06-599** - Approve an engagement letter between Yamhill County and Isler & Co., LLC for audit services for fiscal year 2005-06, not to exceed \$28,800.
7. **B. O. 06-600** - Approve an agreement between the Commission on Children & Families and Community Action Agency of Yamhill County (YCAP) for Youth Outreach services in Dayton, Dundee, and Newberg, \$15,650, retroactive to July 1, 2006 through June 30, 2007.
8. **B. O. 06-601** - Approve an order establishing a process for the HHS Public Health Division to expend funds from the local Commission on Children & Families for the Healthy Start Program, \$220,092, retroactive to July 1, 2006 through June 30, 2007.
9. **B. O. 06-602** - Approve an agreement between the Commission on Children & Families and Yamhill County Court Appointed Special Advocates for the CASA program, \$16,033, retroactive to July 1, 2006 through June 30, 2007.
10. **B. O. 06-603** - Amend Board Order 05-1072 to increase the amount of a loan contract between HHS and Oregon Economic & Community Development Department for the Evans Street Campus from \$1,110,000 to \$1,350,000, OECD project K06002, effective August 30, 2006.
11. **B. O. 06-604** - Approve a covenant agreement between Yamhill County and the City of McMinnville regarding Lots 1-4, Block 3 of Toney's Subdivision and Lots 1-2, Block 6 of Willis Subdivision.
12. **B. O. 06-605** - Approve an intergovernmental agreement between the Sheriff's Office and Oregon Emergency Management to reimburse the county for a Homeland Security Exercise, not to exceed \$3003.

#### Surplus Property

13. **B. O. 06-606** - Schedule a public hearing for September 13, 2006 regarding the private sale of surplus Tax Lot R4421CB 03590 to Arthur and Laurie LeCours for \$80 plus costs.

#### Meth Levy

14. **See Other Business** - Adopt an order setting an election for November 7, 2006 for the following measure: AUTHORIZES FOUR YEAR SERIAL LEVY AGAINST ILLEGAL METHAMPHETAMINE USE; authorizing levy of \$0.305 per \$1000 assessed valuation.

C. **OLD BUSINESS:** None.

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

Measure 37

1. **B. O. 06-607** - Consideration of approval of M37-13-06, a Measure 37 claim authorizing Richard and Rhoda Senz to make application to divide ten acres into six lots and to establish dwellings on the vacant lots.

Mr. Gray read the operative part of the order, noting that this claim had originally been set for a public hearing but the Board had approved a motion to reconsider. Ms. Lewis moved approval of M37-13-06. The motion passed, Commissioners Lewis and George voting aye and Commissioner Stern voting no.

Economic Development

2. **B. O. 06-608** - Consideration of approval of allocating \$25,000 from the Economic Development Fund for the MicroEnterprise Resources, Initiatives & Training (MERIT) program to help small businesses start, grow, and prosper; authorize the Chair to sign an agreement with MERIT, subject to approval by County Counsel.

Ms. Stern stated that Marcia Bagnall had attended the Board's informal session on Monday to explain the program to Ms. George and had agreed to provide quarterly reports. She moved approval of the \$25,000 allocation, then amended her motion to include authorization for the Chair to sign a contract with MERIT, subject to approval by County Counsel. Ms. Lewis stated that she had previously expressed concerns about determining the best way to use Economic Development funds, but this is clearly a good program. The motion passed, Commissioners Lewis, George, and Stern voting aye.

Contracts

3. **B. O. 06-609** - Consideration of approval of a contract between the Sheriff's Office and Oregon State Marine Board for boating safety and law enforcement services, \$132,540, retroactive to July 1, 2006 through June 30, 2007.

Lt. Summers explained that he had been holding this contract until he got a commitment from the state for full funding. Ms. Stern moved approval of the contract. The motion passed, Commissioners Lewis, George, and Stern voting aye.

Committees

4. **B. O. 06-610** - Consideration of the appointment of Marian Newell as Ambassador of the Board to the Geumsan County International Ginseng Festival.

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

Meth Levy

5. Adopt an order setting an election for November 7, 2006 for the following measure:

AUTHORIZES FOUR YEAR SERIAL LEVY TO REDUCE ILLEGAL METHAMPHETAMINE USE; authorizing levy of \$0.305 per \$1000 assessed valuation. *[Order to be reworded and adopted September 6, 2006.]*

The Board discussed the draft version of the ballot title and agreed to continue the item to September 6, 2006 to allow time to reword it.

Bridge Repair

6. Discussion of repairs needed on Hidden Hills Road Bridge. *[No formal action taken at this time.]*

Bill Gille provided a report on the condition of Hidden Hills Road Bridge, which has developed rot and crush in the foundation area, problem which typically costs \$10,000 to \$15,000 to repair. He explained that because the bridge is part of a local access road, the responsibility for maintenance and repairs falls on the homeowners in the area, who have been getting periodic bridge reports from Oregon Department of Transportation (ODOT). He stated that he had given the homeowners contact information for local contractors and had sent an email to ODOT regarding the possibility of using their bridge crews.

He stated that although this is a serious situation which has necessitated a load rating to protect the public, it is a maintenance issue and he doesn't feel that it qualifies as an emergency situation. Mr. Gray explained that the Board only has the authority to expend county funds on the bridge if it determines that an emergency situation exists. Ms. George pointed out that declaring an emergency would not get the repairs done faster and she doesn't want to set a precedent for other local access roads. Ms. Stern suggested waiting to make a decision until after reports have been received from Fire Chief Jay Lilly and ODOT. Ms. Lewis added that the county might be able to help facilitate the contract for bridge repair work. She also suggested that in the future, the Public Works Department could get copied on bridge reports for local access roads and could follow up when necessary with a letter to the Homeowners' Association, advising them to get an interpretation from ODOT of the bridge report.

Executive Session

7. Recess to executive session for update on SP Newsprint tax appeal.

The Board recessed to executive session at 11:11 a.m. pursuant to ORS 193.660(2)(h) to discuss current litigation. The meeting reconvened at 11:39 a.m. with no final decisions made.

E. **PUBLIC HEARINGS:** None.

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 three alternate positions;
- c. Planning Commission, one position.

2. Northwest Senior & Disability Services has openings for Yamhill County residents on the

