

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 September 27, 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 Julia Staigers, Administrative Services Manager; John M. Gray, Jr., County Counsel; Rick Sanai, Assistant County Counsel; and Laura Tschabold, Grant Writer.

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

Personnel

1. **B. O. 06-665** - Approve the employment of Alison Ticknor, Newberg, as Accounting Clerk 2 in Administrative Services, regular full-time, Range 10, Step 1, \$2077/month, retroactive to September 25, 2006.

2. **B. O. 06-666** - Approve the employment of Phillip Shadden, Lafayette, as Senior Office Specialist in Veterans Services, regular full-time, Range 10, Step 2, effective October 9, 2006.

3. **B. O. 06-667** - Approve the employment of Dawn Hanneman, Jason Johnson, Jennelle Lawrence, and Kerri Stepisnik as on-call relief in the Juvenile Department, \$7.50/hour, effective September 27, 2006.

4. **B. O. 06-668** - Approve the employment of the following individuals as Corrections Reserve in the Sheriff’s Office, part-time on-call:

- a. Nancy Ogilvie and Kimball Wallis, St. Paul, \$13.90/hour, effective September 27, 2006;
- b. Michael Turnipseed, Dayton, \$10/hour, effective October 4, 2006.

5. **B. O. 06-669** - Approve the employment of Chris Bates, Sherwood, as Corrections Reserve in the Jail, part-time on-call, \$10/hour, effective October 4, 2006.

6. **B. O. 06-670** - Approve the employment of Joelle McCormick, Tigard, as HS Specialist 2 in HHS Family & Youth, regular full-time, Range 20, Step 3, effective October 16, 2006.
7. **B. O. 06-671** - Approve the employment of Corrine Brownell, Falls City, as HS Associate in HHS Public Health, regular part-time, Range 14, Step 1, effective September 28, 2006.
8. **B. O. 06-672** - Approve the employment of Lee Turek, Carlton, as Mental Health Specialist 2 in HHS Adult Mental Health, regular full-time, Range 20, Step 2, \$3534/month, effective October 9, 2006.
9. **B. O. 06-673** - Approve the change of status of Julie Friedrich to temporary part-time employment in HHS Adult Mental Health, effective September 27, 2006 through November 15, 2006.
10. **B. O. 06-674** - Approve a contract employee agreement between HHS Adult Mental Health and Dina Crown, R.N. for psychiatric registered nurse services, \$30/hour, effective October 13, 2006.

Contracts/Grants

11. **B. O. 06-675** - Ratify the approval of Amendment #25 to the 2005-07 Financing Agreement #113020 between Health & Human Services and Oregon Department of Human Services, retroactive to September 12, 2006.
12. **B. O. 06-676** - Approve a modification to an agreement between Yamhill County and Ball Janik, LLP for consulting services, not to exceed \$87,400 for the 2006-07 fiscal year.
13. **B. O. 06-677** - Authorize the Chair to execute an agreement between Public Works and Soil Nail Launcher, Inc. for earth slide repairs on Old Railroad Grade Road, not to exceed \$92,200, subject to approval by County Counsel.
14. Approve two grant agreements between Yamhill County and Oregon Office of Homeland Security for the 2006 Homeland Security Grant Program, retroactive to September 1, 2006 through June 30, 2008:
  - a. **B. O. 06-678** - Grant #06-243, \$239,000;
  - b. **B. O. 06-679** - Grant #06-190, \$82,000.
15. **B. O. 06-680** - Authorize Health & Human Services to apply with Polk County for a state grant from the Office of Juvenile Justice and Delinquency Prevention to enforce underage drinking laws, \$15,000.

Loan Funds

16. **B. O. 06-681** - Authorize the Loan Administration Board of the Council of Governments to use \$25,000 of a regional revolving loan fund program for a loan to Cascade Structural Laminators, Inc. to purchase a lumber drying company near Fort Hill.

Roads

17. **B. O. 06-682** - Approve a residential district on a portion of Earlwood Road.

Refund

18. **B. O. 06-683** - Approve a \$342.36 refund to Garner Electric from the Planning Department.

Committees

19. **B. O. 06-684** - Approve the appointment of Deana Farrell to the Special Transportation Advisory Commission for a three-year term to expire December 31, 2009.

C. **OLD BUSINESS:**

1. **B. O. 06-685** - Consideration of adoption of findings in denial of Planning Dockets PAZ-05-05 / SDR-19-05 / SU-01-05, a request for a planning amendment/zone change from EF-40 to RC Recreational Commercial, an exception from Goal 3 (Agriculture), a site design review, and a similar use determination on six acres to build nine rental cabins, applicant Judy Gauntt, as tentatively denied September 13, 2006.

Rick Sanai reviewed the findings for denial. Ms. Stern moved to adopt the findings. The motion passed, Commissioners Lewis, George, and Stern voting aye.

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

Measure 37

1. **Tabled** - Consideration of approval of M37-10-06, a Measure 37 claim authorizing Helen Caldwell and Betty Cone to make application to divide 42.5 acres into one-acre lots and to establish dwellings thereon.

John Gray requested that the item be tabled because he is drafting a letter to the claimants' attorney requesting proof of the acquisition date.

2. **B. O. 06-686** - Consideration of approval of M37-21B-05, a Measure 37 claim authorizing Glenn and Diane Gregg to make application to divide 78.26 acres into thirteen lots and to establish dwellings thereon.

Mr. Gray stated that although the original claim had been approved by the Board, the applicants had decided that thirteen lots would be more appropriate than twelve. He read the operative part of the order. Ms. Lewis moved approval of M37-21B-05. The motion passed, Commissioners Lewis and George voting aye and Commissioner Stern voting no.

3. **B. O. 06-687** - Consideration of approval of M37-94B-05, a Measure 37 claim authorizing Sterling, Matthew, and Diane Eide to make application to divide the property into four lots and to establish dwellings on the vacant lots, and to further divide the thirty-acre lot in the future.

Mr. Gray explained that this claim has been amended from the original approved claim for four ten-acre lots to allow the applicants to configure the four lots in any way allowed by land use regulations. He read the operative part of the order. Ms. George moved approval of M37-94B-05. The motion passed, Commissioners Lewis and George voting aye and Commissioner Stern voting

no.

4. **B. O. 06-688** - Consideration of approval of M37-21-06, a Measure 37 claim authorizing Jack and Juanita Temple to make application to divide one to three acres with an existing dwelling from the 76.9-acre property.

Mr. Gray read the operative part of the order. Ms. Stern moved approval of M37-21-06. The motion passed, Commissioners Lewis, George, and Stern voting aye.

5. **B. O. 06-689** - Consideration of approval of M37-22-06, a Measure 37 claim authorizing the Dorothy Au Trust to make application to divide 28.29 acres into five lots and to establish dwellings thereon.

Mr. Gray read the operative part of the order. Ms. George moved approval of M37-22-06. The motion passed, Commissioners Lewis, George, and Stern voting aye.

6. **B. O. 06-690** - Consideration of approval of M37-23-06, a Measure 37 claim authorizing Craig and Vickie Timmons to make application to divide 10.37 acres into five two-acre lots and to establish dwellings on each vacant lot.

Mr. Gray read the operative part of the order. Ms. Lewis moved approval of M37-23-06. The motion passed, Commissioners Lewis and George voting aye and Commissioner Stern voting no.

7. **B. O. 06-691** - Consideration of approval of M37-24-06, a Measure 37 claim authorizing Gordon Cook to make application to divide 38.8 acres into ten lots and to establish dwellings on each vacant lot.

Mr. Gray read the operative part of the order. Ms. George moved approval of M37-24-06. The motion passed, Commissioners Lewis and George voting aye and Commissioner Stern voting no.

8. **B. O. 06-692** - Consideration of approval of M37-25-06, a Measure 37 claim authorizing the Harris Family Trust to make application to divide 88 acres into two-acre lots and to establish dwellings thereon.

Mr. Gray read the operative part of the order. Ms. Lewis moved approval of M37-25-06. The motion passed, Commissioners Lewis and George voting aye and Commissioner Stern voting no.

9. **B. O. 06-693** - Consideration of approval of M37-26-06, a Measure 37 claim authorizing the Harris Family Trust to make application to divide 20 acres into four five-acre lots and to establish dwellings on each vacant lot.

Mr. Gray read the operative part of the order. Ms. George moved approval of M37-26-06. The motion passed, Commissioners Lewis and George voting aye and Commissioner Stern voting

no.

10. **B. O. 06-694** - Consideration of approval of M37-27-06, a Measure 37 claim authorizing Russell Wilson to make application to divide two adjacent lots totaling 316.17 acres into approximately eleven twenty-acre lots and to establish dwellings thereon.

Mr. Gray read the operative part of the order. Ms. Lewis moved approval of M37-27-06. The motion passed, Commissioners Lewis and George voting aye and Commissioner Stern voting no.

Ms. Lewis stated that she had talked with Bill Gille about the possibility of amending the new infrastructure ordinance to include serious partitions and he has some other questions which have come up since adopting the ordinance that the Board may wish to address at the same time. Mr. Gray will talk with Mr. Gille, Rick Sanai, and Mike Brandt.

11. **B. O. 06-695** - Consideration of approval of M37-28-06, a Measure 37 claim authorizing Stanley Murayama to make application to establish a dwelling on a 79-acre property.

Mr. Gray read the operative part of the order. Ms. Stern moved approval of M37-28-06. The motion passed, Commissioners Lewis, George, and Stern voting aye.

12. Discussion of the upcoming surplus property auction.

Mr. Gray stated that the Willamette River property will be taken off the auction list and given to the county parks system. Ms. Lewis stated that this seems like the right thing to do, although she is concerned about adding new maintenance costs to an already tight Parks budget when some of the existing parks still don't have restrooms and other amenities. Ms. Stern explained that this piece of property will really benefit the parks system by generating public interest and allowing the county to receive grants. Mr. Gray added that the costs of the auction should be covered by the sale of other parcels on the auction list.

13. Discussion of Measure 37 as it relates to the payment of back taxes.

The Board discussed the need to talk with Dave Lawson and Mike Brandt about the issue of collecting back taxes on Measure 37 properties which are disqualified from farm and forest deferral. Mr. Gray stated that back taxes can only be collected in these cases when the property owner requests a zone change. Ms. Lewis suggested that a property owner requesting a change in use, which is clearly the case in Measure 37 claims, might also be subject to the payment of back taxes. Mr. Gray said he would discuss the issue with Dave Hunicutt.

E. **PUBLIC HEARINGS:** None.

F. **ANNOUNCEMENTS:**

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

