

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 April 18, 2007 at 9:00 a.m. in Room 32 of the Courthouse, Commissioners Kathy George, Mary P. Stern, and Leslie Lewis being present.

Also present was John Krawczyk, Administrative Services Director; John M. Gray, Jr., County Counsel; Laura Tschabold, Projects Coordinator; Ken Huffer, Parks Coordinator; and Henry Reeves, 22250 Boulder Crest Lane SE, Amity.

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.

Henry Reeves stated that there is a consensus in the legislature that something needs to be done to fix Measure 37. He offered one minute of his public comment time to Commissioner George to explain what went wrong with Measure 37. Ms. George stated that there are a tremendous number of problems with current land use laws that have not been addressed in the past thirty years. She pointed out that whenever an attempt is made to resolve the problems, those attempts are opposed by many of the groups Mr. Reeves belongs to. She stated that Measure 37, which was approved by 61% of the voters, was the people’s effort to fix the land use laws.

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

Personnel

1. **B. O. 07-305** - Approve the employment of Margaret Perry, Yamhill, as Extra Help in Dog Control, temporary part-time, \$7.80/hour, retroactive to April 9, 2007 through August 30, 2007.

2. **B. O. 07-306** - Approve the employment of Stephanie Brown, Forest Grove, as HS Specialist 2 in HHS Adult Mental Health, temporary part-time, Range 20, Step 1, \$19.47/hour, effective May 1, 2007.

3. **B. O. 07-307** - Approve the change of status of Paola Gentry to temporary part-time employment in HHS Public Health, retroactive to April 13, 2007 through May 30, 2007.

4. **B. O. 07-308** - Approve the change of status of Patricia Hall to regular full-time employment

in HHS Chemical Dependency, Range 7, Step 3, effective April 24, 2007.

Contracts

5. **B. O. 07-309** - Ratify the approval of Amendment #42 to the 2005-07 Financing Agreement #113020 between Health & Human Services and Oregon Department of Human Services, retroactive to April 10, 2007.
6. **B. O. 07-310** - Approve Amendment #8 to the 2006-07 Financing Agreement #117553 between HHS Public Health and Oregon Department of Human Services for the Breast & Cervical Cancer Program.
7. **B. O. 07-311** - Approve an accreditation agreement between the Sheriff's Office and the Oregon Accreditation Alliance for voluntary compliance with internationally established professional standards of police and emergency communications practices.
8. **B. O. 07-312** - Approve a revocable license agreement between Public Works and the Chandler P. Brown Trusts for a waterline on the Blackwell Park Bridge #11883 over Willamina Creek, effective April 18, 2007.

Refunds

9. **B. O. 07-313** - Authorize the following refunds from the Planning Department:
 - a. \$1086 to Alan Ruden Construction;
 - b. \$833 to Charles and Gloria Dreske.

Policy

10. **B. O. 07-314** - Adopt an amended Gift Policy for Retirement & Years of Service, replacing B.O. #06-938.

Roads

11. **B. O. 07-315** - Approve Public Works Docket RV-1-2007, a request by Noah Berkey and Mary Dollar to vacate a portion of First Street in Whiteson, no public hearing required under ORS 368.351.

Licenses

12. **B. O. 07-316** - Deny a request by Sheridan Hop for a business license to do automobile wholesaling in Dayton.

Fees

13. **B. O. 07-317** - Adopt a new fee schedule for the Surveyor's Office, effective May 1, 2007.
14. **B. O. 07-318** - Adopt a new fee schedule for the Juvenile Department, effective May 1, 2007.

Budget Transfer

15. **B. O. 07-319** - Approve a transfer of appropriation authority and funds to assist the cities of Amity, Carlton, and Yamhill with the installation of Mobile Data Terminals in police vehicles:

From 10-39-801.23 Communications Equipment \$3000
To 10-39-611.02 Contract Services \$3000

Surplus Property

16. **B. O. 07-320** - Declare eight halogen growing lights seized by the Sheriff's Office as surplus county property to be donated to Wascher Elementary School.

Measure 37

17. **B. O. 07-321** - Set public hearings on May 9, 2007 for the following Measure 37 claims:
a. M37-203-06, authorizing Stan Bunn to make application to establish a commercial office and a separate advertising sign on a .05-acre property, with additional proposed and alternative uses;
b. M37-211-06, authorizing Herbert and Barbara Anderson to make application to divide 133 acres into 20 to 100 lots and to establish a dwelling, commercial uses, and other non-farm uses on each vacant lot;
c. M37-224-06, authorizing Shirley McDaniel to make application to divide 16.77 acres into fourteen lots and to establish a dwelling on each lot.

C. OLD BUSINESS:

Measure 37

1. **B. O. 07-322** - Consideration of adoption of findings in support of M37-190-06, a Measure 37 claim authorizing the Joan Silvers Revocable Trust to make application to divide 10.01 acres into ten lots and to establish a dwelling on each vacant lot, as tentatively approved April 11, 2007.

John Gray read the operative part of the order. Ms. Lewis moved approval of M37-190-06. The motion passed, Commissioners George and Lewis voting aye and Commissioner Stern voting no.

2. **B. O. 07-323** - Consideration of adoption of findings in support of M37-192-06, a Measure 37 claim authorizing Adolfo and Janice Blanco to make application to divide 33.71 acres into nine lots and to establish a dwelling on each vacant lot, as tentatively approved April 11, 2007.

Mr. Gray read the operative part of the order. Ms. Lewis moved approval of M37-192-06 and expressed her appreciation to Mr. Blanco for explaining the history of the property and his plans for giving the land to his children. The motion passed, Commissioners George and Lewis voting aye and Commissioner Stern voting no.

3. **B. O. 07-324** - Consideration of adoption of findings in support of M37-200-06, a Measure 37 claim authorizing Thomas Bogh to divide 59.7 acres into one-acre lots and to establish a dwelling on each vacant lot, as tentatively approved April 11, 2007.

Mr. Gray read the operative part of the order. Ms. Lewis moved approval of M37-200-06, stating that law firms create a great deal of heartache by encouraging their clients to request one-acre lots, rather than what they really intend to do with the property. The motion passed, Commissioners George and Lewis voting aye and Commissioner Stern voting no.

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

1. Report by Parks Coordinator on the theft of the iron ranger fee box from Rogers Landing.

Ken Huffer reported that the iron ranger was stolen by someone using a cutting torch, a method recently discussed in detail on a television news channel. He noted that five other parks have been hit as well and he is in the process of re-evaluating security at the park and exploring all options. He noted that the electronic fee machine should be operational in about two weeks. Ms. Stern suggested having a backup person trained to operate the machine. John Krawczyk stated that the cost of replacing the equipment can be reimbursed out of the county's self-insurance fund and the new electronic machine should be added to the county's insurance policy.

E. PUBLIC HEARINGS:

1. Consideration of Planning Docket SDR-22-06, an appeal of the Planning Director's approval of a site design review for a 120-foot communications monopole antenna and associated equipment, applicant Douglas P. Evans for T-Mobile USA, appellants Jerry Seeberger et al, as continued from April 11, 2007 at the point of Staff Recommendation. *[Continued to April 25, 2007 at the point of Staff Recommendation.]*

Ms. Stern moved to continue the hearing to April 25, 2007 at the point of Staff Recommendation. The motion passed, Commissioners George, Stern, and Lewis voting aye.

F. ANNOUNCEMENTS:

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

- a. Commission on Children & Families, one lay alternate position and one youth position;
- b. Local Alcohol and Drug Planning Committee, three positions;
- c. Parks Board, one position;
- d. Road Improvement Advisory Committee, one 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.

- G.** Recess to Executive Session to discuss a request for a long-term lease of the Rainbow Lodge property.

The meeting recessed to executive session at 9:22 a.m. pursuant to ORS 192.660(2)(e) for the purpose of discussing real property transactions. The meeting reconvened at 9:40 a.m. with no formal decisions made. The Board agreed to continue the discussion at another executive session tentatively scheduled for April 23, 2007 at 4:00 p.m. in the Fenton House.

The Board agreed to direct Mr. Gray to work with County Counsel from Marion and Polk

Counties to develop a CEO authorization agreement for the Enterprise for Employment & Education Board.

Ms. Lewis stated that Public Works Director Bill Gille will be briefing the Board later on a request from Marion County to modify the Wheatland Ferry agreement. Ms. Stern suggested waiting to make the change until after the O&C funds are re-authorized.

The meeting adjourned at 9:43 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair KATHY GEORGE

Commissioner MARY P. STERN

Commissioner LESLIE LEWIS