

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 October 10, 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 M. Gray, Jr., County Counsel; Rick Sanai, Assistant County Counsel; Ken Friday, Planning Division Manager; Laura Tschabold, Administrative Services Assistant Director; Starla Pointer, News-Register; and Marla Robison, 12300 Parrett Mountain Road, Newberg.

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, Stern, and Lewis voting aye.

Personnel

1. **B. O. 07-920** - Approve the employment of Varie Luciano, Milwaukie, as Senior Office Specialist in the District Attorney’s Office, regular full-time, Range 10, Step 3, effective October 22, 2007.

2. **B. O. 07-921** - Approve the reclassification of Dovie Desirey, HHS Chemical Dependency, from HS Specialist I to HS Specialist II, Range 20, Step 2, effective October 24, 2007.

Contracts/Grants

3. Approve two agreements between the Commission on Children & Families and the following providers for children’s services, retroactive to July 1, 2007 through June 30, 2008:

a. **B. O. 07-922** - Court Appointed Special Advocates (CASA), \$36,325;

b. **B. O. 07-923** - Mid-Willamette Valley Community Action Agency, for CARES and Lending Library programs, \$18,212.

4. **B. O. 07-924** - Approve the fourth extension of a lease agreement between HHS Chemical Dependency and Lewis and Stark Company for space in the Lewis and Stark Building located at 4th and Evans Street, McMinnville, \$2000/month, effective through February 29, 2008.

5. **B. O. 07-925** - Approve an Architectural Services Agreement between the Sheriff’s Office and RSS Architecture, P.C., for improvements to the Jail, \$137,542.

6. **B. O. 07-926** - Approve a grant agreement between the Parks Division and Oregon Parks & Recreation Department to accept funding for the Lafayette Locks Park Renovation Project LGP0263, \$28,918, effective through September 30, 2009.

Parks

7. **B. O. 07-927** - Authorize the use of \$15,000 in Parks System Development Funds to purchase a picnic shelter, picnic tables, and barbeque grills for Lafayette Locks Park.

National Guard & Reserve

8. **B. O. 07-928** - Authorize the Chair to sign a statement of support for the National Guard and Armed Forces Reserve.

Resolution

9. **B. O. 07-929** - Adopt Resolution 07-10-10-1 proclaiming November 2007 as Mediation Month in Yamhill County.

Funding

10. **B. O. 07-930** - Authorize the payment of \$347 to Lane County for participation in a coalition of counties supporting HR 3058 for a multi-year extension of the county payments program.

C. **OLD BUSINESS:** None.

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

1. Discussion of survey for Oregon Wireless Interoperability Network (OWIN). *[No formal action taken at this time.]*

Ms. Lewis stated that the survey is to gather information regarding general interest in the various levels of participation in OWIN. She summarized the benefits associated with the three levels of financial participation and noted that no specific dollar amounts have been determined yet for the different levels, but the middle level seems to be the best option for Yamhill County. She said that she would like to have the other commissioners talk to John Krawczyk about the survey individually before the group comes to a consensus. Mr. Krawczyk agreed and noted the possibility of using OWIN as a long-term replacement of the radio communication system.

E. **PUBLIC HEARINGS:**

1. Consideration of Planning Docket NCU-01-07, a request to recognize an existing storage business as a non-conforming use, applicant David Evers, appellant Dan Bansen, as continued from September 19, 2007 at the point of Staff Recommendation. *[Continued to November 28, 2007 at the point of Staff Recommendation, record to remain open for the submission of information by either party until 5:00 p.m. November 23, 2007.]*

Ken Friday stated that both parties had requested a two-week continuance and had reassured him that they are close to a resolution. He added that he doesn't believe that either party would have an objection to continuing the hearing for thirty days or more. Ms. Stern moved to continue the hearing to November 28, 2007 at the point of Staff Recommendation, with the record to remain open for the submission information by either party until 5:00 p.m. on November 23, 2007. The motion passed, Commissioners George, Stern, and Lewis voting aye.

2. Consideration of Planning Docket P-26-07/C-21-07(KF), a request for conditional use and partition under standards in effect in 1972 to allow the creation of two 2.5-acre parcels from an existing 47.4-acre lot, applicant Marla Robison, appellant Samuel Gordon, as continued from September 19, 2007 at the point of Staff Recommendation. *[Tentatively approved, findings to be adopted October 17, 2007.]*

Ms. George opened the public hearing.

Staff Recommendation - Mr. Friday recommended approval of the request with the conditions of approval as listed in the June 14, 2007 approval letter from the Planning Director. He noted that the applicant has already complied with Condition #3 regarding septic site evaluations and has received approval from Public Works for driveway access. He said that he isn't recommending any conditions regarding height restrictions because Ordinance 29 had no height limitations in the Ag A zone and even under today's more restrictive ordinance, the height restrictions would not protect the view.

He stated that although Ms. Robison had applied for septic permits, none would be issued until after the partition application is approved. He said that he does not believe that she was given preferential treatment and she would probably concur with that statement. Ms. Stern noted that Ms. Robison got the driveway permits to show that safety issues are being addressed, but she is not committed to that location.

Close of Public Hearing / Deliberation - Ms. Stern requested a brief recess to review the new information received that morning. The meeting recessed at 9:22 a.m. and reconvened at 9:29 a.m.

Ms. Stern addressed the concerns raised by the opponents regarding the Board's interpretation of Ordinance 29, procedural issues, water, protection of the view, and the driveway. She then moved for tentative approval of Planning Docket P-26-07/C-21-07(KF), with findings to be adopted October 17, 2007.

Ms. Lewis and Ms. George agreed with the statements made by Ms. Stern. Ms. George added that, because of the depth of the wells, water level comparisons may be misleading when looking at results from only one year. She also addressed a letter in the record from Thomas and Lori Avgerakis and stated that she doesn't believe that the donation of nearby property to a non-profit trust would prevent neighbors from partitioning their own property.

The motion for tentative approval 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, three lay alternate position and one youth position;
 - b. Local Alcohol and Drug Planning Committee, two positions;
 - c. Road Improvement Advisory Committee, one position;
 - d. Special Transportation Advisory Commission, 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.

The meeting adjourned at 9:36 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair KATHY GEORGE

Commissioner MARY P. STERN

Commissioner LESLIE LEWIS