

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 January 22, 2008 at 10:00 a.m. in Room 32 of the Courthouse, Commissioners Mary P. Stern, Leslie Lewis, and Kathy George being present.

Also present was John M. Gray, Jr., County Counsel; Rick Sanai, Assistant County Counsel; John Krawczyk, Administrative Services Director; Laura Tschabold, Administrative Services Assistant Director; Steve Mikami, Personnel Officer; Capt. Ken Summers, Sheriff’s Office; Sherrie Mathison, Solid Waste Coordinator; and David Bates, News-Register.

Commissioner Stern 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. **AGENDA:**

Personnel

1. **B. O. 08-54** - Consideration of approval of the employment of Nicole Galberth, Gresham, as HS Specialist 2 in HHS Family & Youth, regular full-time, Range 20, Step 1, effective January 28, 2008.

2. **B. O. 08-55** - Consideration of approval of the change of status of Carrie Martin to regular part-time employment in the Jail, \$35/hour, retroactive to January 9, 2008.

3. **Tabled** - Consideration of the change of status of Kari Lewers to temporary full-time employment in Dog Control, Range 5, Step 2, effective January 24, 2008 through April 24, 2008. *[Additional hours to be assigned under existing employment contract for now.]*

Capt. Ken Summers stated that this would allow Jodi Whiting and Tanya Pitt to spend more time in the field. He said that the position would no longer be needed if a potential merger of Dog Control with the City of Newberg goes through. He explained that the ability to accrue time off is important to Ms. Lewers. After further discussion with the Board, Capt. Summers agreed to talk more about the issue with the Sheriff and just assign the additional hours to Ms. Lewers under the existing contract for now.

4. **B. O. 08-56** - Consideration of the change of status of Joseph Shipley to Sergeant in the Sheriff's Office, Range 16, Step 6, \$4630/month, effective January 24, 2008.

5. **B. O. 08-57** - Consideration of the change of status of Jessica Schurtman to regular part-time employment in the HHS Enhanced Care Program, .95 FTE, effective January 24, 2008.

Ms. George moved approval of items B(1), B(2), B(4), and B(5). The motion passed, Commissioners Stern, Lewis, and George voting aye.

Contracts

6. **B. O. 08-58** - Consideration of ratifying the approval of Amendment #17 to the 2007-09 Financial Assistance Agreement #119951 between Health & Human Services and Oregon Department of Human Services, retroactive to January 3, 2008.

Ms. George moved to ratify approval of the contract amendment. The motion passed, Commissioners Stern, Lewis, and George voting aye.

7. Consideration of approval of the following amendments to the 2007-09 Financial Assistance Agreement #119951 between Health & Human Services and Oregon Department of Human Services:

- a. **B. O. 08-59** - Amendment #22;
- b. **B. O. 08-60** - Amendment #23.

8. **B. O. 08-61** - Consideration of approval of Amendment #2 to Contract #4600006521 between HHS Adult Mental Health, provider, and Multnomah County for an additional \$1376 for mental health and case management services to people living with HIV/AIDS, total contract not to exceed \$33,976, retroactive to December 1, 2007.

Ms. George moved approval of items B(7) and B(8). The motion passed, Commissioners Stern, Lewis, and George voting aye.

Refunds

9. **B. O. 08-62** - Consideration of amending Board Order 08-25 to increase the refund amount authorized from the Surveyor's Office to J.T. Smith Co. for the Orchard Lair subdivision from \$26,475 to \$31,200.

Ms. Lewis moved to authorize the refund. The motion passed, Commissioners Stern, Lewis, and George voting aye.

10. **B. O. 08-63** - Consideration of authorizing a \$900 refund from the Planning Department to Ann Rader.

Ms. Stern moved to authorize the refund. The motion passed, Commissioners Stern, Lewis, and George voting aye.

Committees

11. **B. O. 08-64** - Consideration of the appointment of Anne Wylie to the Commission on Children & Families to complete the term of Sharon Wood through November 1, 2010.

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

12. **Tabled until next Monday** - Consideration of the following requests from the Association of Oregon Counties:

- a. Assemble a Sesquicentennial Commission;
- b. Appoint a liaison to the Oregon 150 Board.

Veterans

13. Consideration of a request from the Veterans of Foreign Wars (VFW) of the United States, Post #4015 of Newberg, for the county to donate approximately 2.5 acres in the northwest corner of the old Newberg Landfill for a Newberg Veterans Center and to waive county fees related to the construction of a building and parking lot on the premises. [*Consensus to deny request.*]

Ms. Lewis stated that Ed Savage, VFW, wanted to make it clear that this request is not related to the previous proposal by Senator Gary George for a Veterans Memorial in the same area and that VFW has no desire for a memorial there. She discussed the request and pointed out that the issues raised by Senator George's request would still be concerns. John Krawczyk added that donating county land could cause problems due to a recent negotiation with Rainbow Family Services for a portion of the Rainbow Lodge property that included remuneration. After further discussion, the Board agreed that since the landfill is still in post-closure stage, the county is not ready to start using the land and it is not appropriate to discuss any requests for the site at this time. Ms. Stern agreed to draft a response to VFW.

Advertising

14. **B. O. 08-65** - Consideration of authorizing an ad in the Visitor's Guide to Yamhill and Polk Counties, \$195.

The Board agreed to go ahead with the ad with minor changes from the previous year's version.

C. **OLD BUSINESS:**

1. **B. O. 08-66** - Consideration of adoption of findings in support of SDR-22-06 (KF), a remand from the Land Use Board of Appeals (LUBA) regarding a request from T-Mobile for a 120-foot cell tower, as tentatively approved on January 16, 2008.

Ms. George moved to adopt the findings. The motion passed, Commissioners Stern, Lewis, and George voting aye.

Ms. Stern discussed the process of which commissioner makes the motion on land use decisions and suggested that there be no assigned order.

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

Surplus

1. **B. O. 08-67** - Consideration of a request from the Sheriff's Office to declare five complete M26 Tasers, holsters, chargers, and battery trays as surplus county property to be sold on LEDS to another law enforcement agency.

Capt. Summers stated that the new tasers purchased with grant funding are smaller, more discreet, and project a more professional appearance. Ms. Stern moved approval of the request. The motion passed, Commissioners Stern, Lewis, and George voting aye.

Benefits

2. **B. O. 08-68** - Consideration of extending the economic benefits of the YCEA labor agreement (Board Order 08-39) to non-bargaining personnel.

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

Letters

3. Discussion of a letter in response to a request from Hermann Werber for a permit to clear brush within the right-of-way along Wind Ridge Road. [*Commissioner Lewis to convey the sense of the Board to Bill Gille.*]

Ms. Lewis stated that the Board has made it clear that it won't order the neighbors to remove obstacles in the right-of-way, such as fences and trees. Ms. Stern said that it doesn't appear that it would be possible for Mr. Werber to get his tractor through and stay in the right-of-way, even with it cleared, so mediation with the neighbors is the only possibility. Ms. Lewis agreed to convey the sense of the Board to Mr. Werber through Bill Gille.

4. Discussion of a letter to property owners regarding a proposal by the City of Newberg to form a Local Improvement District (LID). [*Commissioner George to convey the sense of the Board to Bill Gille.*]

The Board discussed the need for more explanation to property owners about how an LID works so they understand the full meaning and the financial impact. Ms. Stern suggested having Mr. Gille advise the property owners to contact the city for more information on the proposal and to contact an attorney for legal advice. Ms. George agreed to convey the sense of the Board to Mr. Gille.

E. **PUBLIC HEARINGS:** None.

F. **ANNOUNCEMENTS:**

1. The following positions are open to the public. Contact the Commissioners' Office for applications.
 - a. Commission on Children & Families, four lay positions, two lay alternate positions, one youth position, and two professional alternate positions;

- 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 11:18 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY P. STERN

Commissioner LESLIE LEWIS

Commissioner KATHY GEORGE