

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 July 9, 2008 at 9:00 a.m. in Room 32 of the Courthouse, Commissioners Mary P. Stern, Leslie Lewis, and Kathy George being present.

Also present were John M. Gray, Jr., County Counsel; Rick Sanai, Assistant County Counsel; John Krawczyk, Budget Director; Laura Tschabold, Administrative Services Director; Mike Brandt, Planning Director; Ken Friday, Planning Division Manager; Murray Paolo, Information Systems Director; Elaine Taylor, City of Newberg; Marilyn Reeves, PO Box 1083, McMinnville; Samuel Justice, PO Box 480, McMinnville; Grace Schaad, 31525 NE Schaad Rd, Newberg; Charles McClure, 30295 Hwy 99W, Newberg; Jon Mangis, 920 Sahalee Ct, Salem, 97306; Matt Wellner, matt.wellner@metlandgroup.com; Lewis Schaad, 31655 NE Schaad Rd, Newberg; Cathy Stuhr, 31100 NE Fernwood Rd, Newberg; Robert Soppe, 709 E Sheridan, Newberg; and Amanda Newman, Newberg-Graphic.

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

Personnel

1. **B. O. 08-457** - Approve the employment of Ted Smietana, Dallas, as Community Corrections Director, regular full-time, Range 30, Step 7, \$6389/month, effective July 21, 2008.

2. **B. O. 08-458** - Approve the employment of Richard Sly, Salem, as extra help in the Sheriff’s Office, regular part-time on-call, \$25/hour, retroactive to July 1, 2008.

3. **B. O. 08-459** - Approve the employment of Beverly Drury, Keizer, as Registered Nurse 2 in HHS Public Health, regular full-time, Range 19, Step 7, effective July 14, 2008.

4. **B. O. 08-460** - Approve the employment of Amy Patterson, Sheridan, as Office Specialist 2 in the Assessor’s Office, regular part-time, Range 7, Step 1, \$10.77/hour, effective July 9, 2008.

Contracts/Grants

5. **B. O. 08-461** - Approve Amendment #7 to the 2007-08 Financial Assistance Agreement #121033 between HHS Public Health and Oregon Department of Human Services.

6. Approve the following amendments to the 2007-09 Financial Assistance Agreement #119951 between Health & Human Services and Oregon Department of Human Services:
 - a. **B. O. 08-462** - Amendment #42;
 - b. **B. O. 08-463** - Amendment #44;
 - c. **B. O. 08-464** - Amendment #45.

7. **B. O. 08-465** - Approve an amendment to an agreement between HHS Family & Youth and Catholic Community Services, provider, for youth in Treatment Foster Care contracted beds, retroactive to January 1, 2008 through June 30, 2008.

8. **B. O. 08-466** - Approve an agreement between HHS Family & Youth and Catholic Community Services, provider, for treatment services for youth in Treatment Foster Care contracted beds, retroactive to July 1, 2008 through June 30, 2009.

9. **B. O. 08-467** - Approve a lease renewal agreement between HHS Public Health, lessor, and Yakima Valley Farm Workers Clinic for the Newberg Annex property at 2251 Hancock Street, \$608/month, retroactive to July 1, 2008 through June 30, 2009.

10. **B. O. 08-468** - Ratify the approval of an agreement between the HHS Prevention Program and Dayton School District, provider, for the Strengthening Families Program, \$5000.

11. **B. O. 08-469** - Approve Grant Agreement TA-R-09-191 between Yamhill County, grantee, and the Department of Land Conservation & Development for the Yamhill County Regional Countywide Economic Opportunities Analysis, \$75,000 grant award with a \$25,000 match.

12. **B. O. 08-470** - Approve Amendment #1 to Grant Agreement #24046 between the Transit Division, grantee, and Oregon Department of Transportation for 2007-09 STF funding, revised total \$311,238.

13. Approve agreements between the Transit Division and the following providers for disbursement of Special Transportation Funding, retroactive to July 1, 2008 through June 30, 2009:
 - a. **B. O. 08-471** - Abacus, \$9181;
 - b. **B. O. 08-472** - Chehalem Valley Senior Citizens Council, \$51,979;
 - c. **B. O. 08-473** - Mid-Valley Rehabilitation, Inc., \$19,150;
 - d. **B. O. 08-474** - Oregon Mennonite Residential Services, \$6983;
 - e. **B. O. 08-475** - Yamhill Community Action Partnership, Inc. (YCAP), \$50,111;
 - f. **B. O. 08-476** - YCAP Volunteer Medical Transportation, \$5412.

Fees/Dues

14. **B. O. 08-477** - Authorize a payment of \$2000 to Oregon Department of Administrative Services for membership in the 2008-09 Oregon Cooperative Procurement Program.
15. **B. O. 08-478** - Authorize a payment of \$14,465 to Mid-Willamette Valley Council of Governments for the COG membership fee and economic development fee for 2008-09.
16. **B. O. 08-479** - Authorize a payment of \$1766 to the Association of Oregon Counties for 2008-09 membership dues.

C. **OLD BUSINESS:**

1. **B. O. 08-480** - Consideration of adoption of findings in support of Planning Docket S-13-06(MB), a request for a ten-lot subdivision on 31.05 acres subsequent to a Measure 37 claim, applicant John Kroo, as tentatively approved on June 12, 2008 following a remand from LUBA and continued from July 2, 2008.

Ms. George moved to adopt the findings, stating that she is confident the relevant land use criteria have been met. Ms. Lewis stated that she had voted for tentative approval, contingent on the vesting decision, but the vesting application has been denied, which renders the land use decision moot. Ms. Stern stated that each of the requirements raised by LUBA were addressed and the applicants have met the approval criteria. She said that vesting is a separate issue and the findings acknowledge that the applicants' rights have not vested.

The motion for adoption passed, Commissioners Stern and George voting aye and Commissioner Lewis voting no.

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

1. **B. O. 08-481** - Consideration of authorizing a notice of intent to award the agreement for the High Heaven Tower Erection Project to the apparent low bidder BCI Communications, \$80,812; authorize the chair to sign the agreement following the protest period, subject to approval by County Counsel.

Ms. Lewis moved approval of item D(1). The motion passed, Commissioners Stern, Lewis, and George voting aye.

2. **B. O. 08-482** - Consideration of approval of the change of status of Jodi Bradley to Appraiser 2 in the Assessor's Office, Range 18, Step 1, \$3265/month, effective July 9, 2008.

Ms. Stern moved approval of item D(2), stating that she had met with Ms. Bradley and she meets the requirements for the Appraiser 2 position. The motion passed, Commissioners Stern, Lewis, and George voting aye.

3. Consideration of approval of the following Board session minutes:
 - a. **B. O. 08-483** - June 2, 2008 joint meeting with Newberg City Council;

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

b. **B. O. 08-484** - July 2, 2008 formal session.

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

4. **B. O. 08-485** - Consideration of approval of a physician services agreement between the HHS Adult Mental Health and Family & Youth divisions and William Nunley, M.D., provider, for limited psychiatric services, effective September 1, 2008.

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

5. **B. O. 08-486** - Consideration of approval of an agreement between the Transit Division and Special Olympics Oregon, provider, for disbursement of Special Transportation Funding, \$3377, retroactive to July 1, 2008 through June 30, 2009.

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

E. **PUBLIC HEARINGS:**

1. Consideration of Planning Docket PA-04-07(KF), a request for expansion of the Urban Reserve Area, applicant City of Newberg, as continued from June 2, 2008. [*Tentatively approved, findings to be adopted July 16, 2008.*]

Ken Friday stated that after a joint meeting with the City of Newberg, the Board agreed to go forward with the Urban Reserve Area as a separate item from the SE Transportation Plan. He noted that the findings for Planning Docket PA-04-07 have been adopted by the city and are ready for the Board's adoption.

Ms. Lewis thanked Elaine Taylor, Barton Brierly, county staff, and the citizens who worked on this issue. Ms. Taylor stated that it would be helpful to know what the Board's specific concerns were with the SE Transportation Plan.

Ms. Lewis stated that her major concern with the plan was that it does not adequately provide access for all potential traffic out of the southeast area to Highway 99W before the bypass is built. Ms. Stern said that she also had concerns with Wilsonville Road and Renne Road being blocked off and would look through her notes and get any additional information to Ms. Taylor. Ms. George added that she had some concern with what will be done around the golf course.

Ms. Lewis moved tentative approval of Planning Docket PA-04-07, with findings to be

adopted July 16, 2008.

F. ANNOUNCEMENTS:

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

- a. Commission on Children & Families, two full members, two alternate members, and one youth position;
- b. Parks & Recreation Board, two positions;
- c. 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.

Ms. Stern noted that Tdap vaccinations are being offered in the hall outside the hearing room to all county managers. The meeting adjourned at 9:22 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY P. STERN

Commissioner LESLIE LEWIS

Commissioner KATHY GEORGE