

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/informal session on June 10, 2009, at 9:00 a.m. in Room 32 of the Courthouse, Commissioners Leslie Lewis, Kathy George, and Mary P. Stern being present.

Also present were Laura Tschabold, Administrative Services Director; John Gray, Jr., County Counsel; John Krawczyk, Budget Director; Pat Anderson, Human Resources; Sherrie Mathison, Solid Waste Coordinator; David Bates, News-Register; Matt Stern, 1850 NE Lafayette Ave, McMinnville; and Sharon Bjorn, 19462 Calkins Ln, Newberg.

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. **AGENDA:**

Personnel

1. **B. O. 09-259** - Consideration of the change of status of Madeline Herman to Corrections Officer in the Jail, Range 12, Step 1, effective June 10, 2009.
2. **B. O. 09-260** - Consideration of the change of status of Troy Spurlock to Police Clerk in the Sheriff’s Office, regular full-time, Range 4, Step 5, effective June 10, 2009.

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

Rate Reviews

3. **Continued to June 15, 2009 at 2:00 p.m.** - Consideration of approval of the following rate review applications for solid waste disposal:
 - a. Newberg Garbage & Recycling Service, 3.74% increase;
 - b. Newberg Transfer & Recycling Center, Inc., 5.95% increase;

Sherrie Mathison distributed a handout showing the CPI adjustments for Western Oregon Waste, Newberg Garbage Service, and Newberg Transfer & Recycling back to 1997 (see Exhibit A). She provided background information on all three providers.

Ms. Stern stated that, in light of the current economy, she cannot vote in favor of the rate increases. She said that the Board has heard no guarantee of a rate increase to the providers from Riverbend Landfill and it was their decision to waive rate increases in previous years. Sharon Bjorn, Newberg Garbage Service, stated that Section 8 of the county's Solid Waste Ordinance requires providers to project their true costs and the company anticipates a rate increase from Riverbend, so that was included in the cost projection. She explained that Riverbend tried to pass on a CPI increase to Newberg Garbage last year, but agreed during negotiations to hold off on the increase. Ms. Mathison later distributed copies of a letter from Riverbend notifying Newberg Garbage of the 2008 scheduled increase mentioned by Ms. Bjorn (see Exhibit B).

Ms. Lewis stated that even though neither Newberg Garbage nor Newberg Transfer & Recycling is projecting a fuel increase, other cost increases will push them out of the standard operating ratio, so the Board needs to bring them back within the ratio. She stated that Newberg Transfer & Recycling would be outside the ratio even without the Riverbend increase. She noted that the Riverbend increase, if it happens, would not take effect until July 1, but the percentage increase has been included for the entire calendar year.

Ms. Lewis moved to continue items B(3)(a) and B(3)(b) to a special formal session at 2:00 p.m. on June 15, 2009. The motion passed, Commissioners Lewis, George, and Stern voting aye.

c. Western Oregon Waste (WOW), 1.3% decrease. *[Application to be withdrawn.]*

Ms. Stern recused herself from items B(3)(c) and B(4) due to her husband's employment at WOW.

Matt Stern, WOW, stated that WOW plans to withdraw the request since the decrease is minimal and the company is facing upward pressure. He stated that the proposed rates for item B(4) would be the same whether or not the decrease is taken. John Gray suggested that the Board continue the item to June 15 in anticipation of a letter from WOW withdrawing the request.

Ms. George moved to continue items B(3)(c) and B(4) to June 15, 2009 at 2:00 p.m. The motion passed, Commissioners Lewis and George voting aye and Commissioner Stern abstaining.

Contracts/Grants

4. **Continued to June 15, 2009 at 2:00 p.m.** - Consideration of approval of an amendment to the franchise agreement between Solid Waste and Western Oregon Waste to include standards for recycling collection services in Zone 1 (Suburban Zone).

5. **B. O. 09-261** - Consideration of approval of Grant Agreement ATV 09-37 between the Sheriff's Office, grantee, and Oregon Parks and Recreation for the ATV Grant Program, not to exceed \$90,155, effective July 1, 2009, through June 30, 2011.

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

6. **B. O. 09-262** - Consideration of approval of Intergovernmental Agreement #4124 between Community Corrections, provider, and Oregon Board of Parole & Post-Prison Supervision for parole and post-prison supervision violation hearings, not to exceed \$6578, effective July 1, 2009, through June 30, 2011.

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

7. **B. O. 09-263** - Consideration of approval of a modification of agreement between the Commission on Children & Families and Mid-Willamette Valley Community Action Agency, Inc., provider, to include additional services and increase funding from \$38,000 to \$43,486, effective through June 30, 2009.

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

8. Consideration of approval of the following grant agreements between the Transit Division, grantee, and Oregon Department of Transportation:

a. **B. O. 09-264** - Grant Agreement #25839 for 5311 general public transportation operations, \$223,187, effective July 1, 2009, through June 30, 2010;

b. **B. O. 09-265** - Grant Agreement #25840 for 5311 general public transportation operations, \$282,219, effective July 1, 2009, through June 30, 2010;

c. **B. O. 09-266** - Grant Agreement #25882 for mobility management under the New Freedom program, \$24,000, effective July 1, 2009, through June 30, 2011;

d. **B. O. 09-267** - Grant Agreement #25892 for employment transportation under the Job Access Reverse Commute Program, \$69,700, effective July 1, 2009, through June 30, 2011.

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

9. **B. O. 09-268** - Consideration of approval of Service Element Prior Authorization (SEPA) Approval Unit #320252 for Amendment #77 to the 2007-09 Financial Assistance Agreement #119951 between Health & Human Services and Oregon Department of Human Services, \$3374.

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

10. **B. O. 09-269** - Consideration of approval of an agreement between HHS Family & Youth, provider, and Head Start of Yamhill County for mental health consultation services, \$60/hour, not to exceed \$15,000, effective July 1, 2009, through June 30, 2010.

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

Committees

11. **B. O. 09-270** - Approve the reappointment of Joseph Arnold, Janae Cisneros, Ron Huber, Laura Pitigliano, Jordan Robinson, Jan Urton, and Carl Whitfield to the Mental Health Advisory Board for three-year terms to expire May 30, 2012; acknowledge the resignations of Amy Raey and Sally Martin.

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

C. **OLD BUSINESS:** None.

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

1. **B. O. 09-271** - Consideration of approval of the 2009-10 Health & Human Services Fee Policy, effective July 7, 2009.

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

2. **B. O. 09-272** - Consideration of authorizing the Juvenile Department to apply for the 2008 Juvenile Accountability Block Grant, \$10,000.

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

3. Discussion of the Oxberg Lake Estates Homeowners Association. *[County Counsel to prepare an intergovernmental agreement between Yamhill County and the City of Newberg.]*

Ms. Lewis explained that the city has engineering plans already designed, with which the homeowners association is satisfied, but the city has no money for construction at this point and the association is concerned about how long it will take and the possibility of new city councilors changing the plans. She stated that the association would like an intergovernmental agreement in place to ensure that the plans will be carried out. Mr. Gray agreed to prepare the agreement.

E. **PUBLIC HEARINGS:** None.

F. **ANNOUNCEMENTS:**

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



RIVERBEND LANDFILL CO., INC.

13469 SW Hwy. 18
McMinnville, OR 97128
(503) 472-8788
(503) 434-9770 Fax

April 30, 2008

Mr. Merlin LaJoie
Newberg Garbage Service
P.O. Box 1000
Newberg Oregon 97132

Subject: Newberg Garbage Service Adjustment of Disposal Rate Riverbend
Landfill and Recycling Center, Yamhill County, Oregon

Dear Merlin,

The following describes a scheduled rate increase for Newberg Garbage Service (NGS). This rate increase dose not apply to separate agreements that we have for waste materials (Rock, and Ash) generated by the SP-Mill in Newberg.

Section 5.2 of the Riverbend Landfill Company (RLC) Contract with NGS provides for adjustment of the landfill fees each July 1. The fees are to be adjusted by a percentage amount equal to 0.85 times the percentage change in the Consumer Price Index (CPI) for all Urban Consumers for West-A, as reported for the twelve-month period ending March 31 of the same year. The reported CPI for the twelve-month period ending March 31, 2008 is 3.5 percent. The specified 85-percent of the reported CPI is 2.98- percent.

Based on these considerations NGS's tipping fee will increase from the current rate of \$26.97 to \$27.77 ($\$26.97 * 1.0298$).

This price will be valid for one year (July 1, 2008 through June 30, 2009).

RLC sincerely appreciates our relationship with NGS that we will continue to work hard to maintain.

If you have any questions regarding this matter please call me.

Sincerely,
Riverbend Landfill Company

A handwritten signature in black ink, appearing to read "George Duvendack".

George Duvendack
District Manager

CC: Mike Jeffries, Cal Palmer (WM)

Exhibit B 1/1