

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 October 14, 2009, at 9:00 a.m. in Room 32 of the Courthouse, Commissioners Leslie Lewis and Kathy George being present and Commissioner Mary P. Stern joining the meeting at 9:17 a.m.

Also present were Laura Tschabold, Administrative Services Director; John Gray, Jr., County Counsel; Rick Sanai, Assistant County Counsel; Pat Anderson, Human Resources; Ken Friday, Planning Division Manager; Sherrie Mathison, Solid Waste Coordinator; Murray Paolo, Information Systems Manager; Dan Linscheid, Surveyor; Hannah Hoffman, News-Register; James Willis, 1604 SE Essex; Dan Hinmon, 614 NW 18<sup>th</sup> St, McMinnville; Susan Watkins, 13440 SW McCabel Chapel Rd, McMinnville; Ilsa Perse, 5765 Mineral Springs Rd; Gary Andes, 750 Front St NE, Salem; Lillian Frease, McCable Chapel Rd, McMinnville; and Kathleen Blair, 595 SW Ruby Ct, McMinnville.

Commissioner Lewis called the meeting to order at 9:06 a.m.

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. **PUBLIC HEARINGS:**

1. Consideration of Planning Docket PAZ-05-08/FP-04-08/SDR-16-08, a request for plan amendment/zone change, floodplain development permit, and site design review for a proposed expansion of the landfill, applicant Riverbend Landfill Company, Inc., as continued from July 1, 2009, at the point of Staff Recommendation. *[Continued to 2:00 p.m. on November 9, 2009, at the point of Staff Recommendation; record to be left open until 5:00 p.m. on October 21, 2009, for the submission of written testimony from any party regarding the alternative disposal options analysis and the gas distribution diagram, until 5:00 p.m. on October 28, 2009, for written rebuttal from any party regarding the same, and until 5:00 p.m. on November 4, 2009, for written rebuttal by the applicants.]*

Ms. Lewis opened the public hearing. Ken Friday stated that the Board had directed staff to hire a third-party consultant to evaluate alternative disposal options and Zia Engineering & Environmental Consultants, LLC, was the consultant selected. He said that the evaluation report has been submitted by Zia and placed on the county’s website. He recommended that the Board decide whether or not to accept the report and, if so, set the open record period.

a. **B. O. 09-624** - Consideration of accepting the Analysis of Waste Disposal/Management Alternatives as prepared by Zia Engineering & Environmental Consultants, LLC.

Ms. George stated that she believes that the report is unbiased and addresses the issues requested by the Board. She noted that the analysis did not present a recommendation as to the best alternative, but left that conclusion up to the Board. Ms. Lewis agreed that the report was a good, independent analysis of not only other landfill alternatives and transportation options, but also other kinds of waste disposal alternatives that aren't available at this time.

Ms. George moved to accept the report. The motion passed, Commissioners Lewis and George voting aye and Commissioner Stern being excused. Ms. Lewis noted that Ms. Stern would have recused herself from the matter if she had been present. The commissioners thanked the Solid Waste Advisory Committee for all of its help.

At the recommendation of Mr. Friday, Ms. George moved to continue the hearing to 2:00 p.m. on November 9, 2009, at the point of Staff Recommendation, with the record to be left open until 5:00 p.m. on October 21, 2009, for the submission of written testimony from any party regarding the alternative disposal options analysis and the gas distribution diagram submitted by DEQ, until 5:00 p.m. on October 28, 2009, for written rebuttal from any party regarding the same, and until 5:00 p.m. on November 4, 2009, for written rebuttal by the applicants. The motion passed, Commissioners Lewis and George voting aye and Commissioner Stern being excused.

C. **AGENDA:**

Personnel

1. **B. O. 09-625** - Consideration of approval of the employment of Lynn Paolo as Extra Help in the Jail, part-time on-call, \$10/hour, effective October 9, 2009.

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

2. Consideration of approval of contract employee agreements between HHS Public Health and the following individuals for vaccination services with the H1N1 project, temporary part-time, retroactive to October 5, 2009, through December 31, 2009:

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|---|--|
| <b><u>B. O. 09-626</u></b> - Amanda Anderson, \$20/hour   | <b><u>B. O. 09-651</u></b> - Amanda Kintz, \$20/hour     |
| <b><u>B. O. 09-627</u></b> - Maria Arreola, \$20/hour     | <b><u>B. O. 09-652</u></b> - Tierny Landels, \$20/hour   |
| <b><u>B. O. 09-628</u></b> - Jennifer Barren, \$26/hour   | <b><u>B. O. 09-653</u></b> - Sally Lilley, \$26/hour     |
| <b><u>B. O. 09-629</u></b> - Michelle Breen, \$26/hour    | <b><u>B. O. 09-654</u></b> - Susan Lorence, \$26/hour    |
| <b><u>B. O. 09-630</u></b> - Bonnie Brown, \$26/hour      | <b><u>B. O. 09-655</u></b> - Susan Lusby, \$26/hour      |
| <b><u>B. O. 09-631</u></b> - Janice Butsch, \$26/hour     | <b><u>B. O. 09-656</u></b> - Dawn McCollum, \$26/hour    |
| <b><u>B. O. 09-632</u></b> - Diana Carmona, \$20/hour     | <b><u>B. O. 09-657</u></b> - Tami Martin, \$26/hour      |
| <b><u>B. O. 09-633</u></b> - Joan Compton, \$26/hour      | <b><u>B. O. 09-658</u></b> - Martha Manriquez, \$20/hour |
| <b><u>B. O. 09-634</u></b> - Kara DeMarco, \$26/hour      | <b><u>B. O. 09-659</u></b> - Sue Ann May, \$26/hour      |
| <b><u>B. O. 09-635</u></b> - Heather DeLessert, \$20/hour | <b><u>B. O. 09-660</u></b> - Jill Melara, \$20/hour      |
| <b><u>B. O. 09-636</u></b> - Charli Draper, \$26/hour     | <b><u>B. O. 09-661</u></b> - Naomi Norlin, \$26/hour     |
| <b><u>B. O. 09-637</u></b> - Leonor Easterday, \$26/hour  | <b><u>B. O. 09-662</u></b> - Gloria Parcher, \$26/hour   |

**B. O. 09-638** - Jennifer Eby, \$20/hour  
**B. O. 09-639** - Dorothy Evers, \$26/hour  
**B. O. 09-640** - Leisha Egbert, \$20/hour  
**B. O. 09-641** - Clara Garcia, \$20/hour  
**B. O. 09-642** - Irma Garcia, \$20/hour  
**B. O. 09-643** - Brittany Goertzen, \$20/hour  
**B. O. 09-644** - Lori Graber, \$26/hour  
**B. O. 09-645** - Jesina Guzman, \$20/hour  
**B. O. 09-646** - Nicole Glover, \$20/hour  
**B. O. 09-647** - Teresa Hall, \$26/hour  
**B. O. 09-648** - Valeicia Herman, \$26/hour  
**B. O. 09-649** - Melissa Johnson, \$20/hour  
**B. O. 09-650** - Gabrielle Kary, \$26/hour

**B. O. 09-663** - Sonia Perez, \$20/hour  
**B. O. 09-664** - Yanet Rangel, \$20/hour  
**B. O. 09-665** - Christine Roque, \$26/hour  
**B. O. 09-666** - Linda Schilling, \$26/hour  
**B. O. 09-667** - Barbara Schnurr, \$26/hour  
**B. O. 09-668** - Mary Schrock, \$26/hour  
**B. O. 09-669** - Gayle Sternberg, \$26/hour  
**B. O. 09-670** - Griselda Trujillo, \$20/hour  
**B. O. 09-671** - Sandra Viren, \$20/hour  
**B. O. 09-672** - Victoria Wetle, \$26/hour  
**B. O. 09-673** - Vanessa Wetzel, \$26/hour  
**B. O. 09-674** - Kaylan Wirht, \$20/hour  
**B. O. 09-675** - Ashley Zook, \$20/hour

Ms. George moved approval of item C(2). The motion passed, Commissioners Lewis, George, and Stern voting aye.

3. **B. O. 09-676** - Consideration of approval of the change of status of Caren Anderson to add up to 8 extra hours per week in HHS Public Health, \$24/hour, retroactive to October 1, 2009, through December 31, 2009.

Ms. George moved approval of item C(3). The motion passed, Commissioners Lewis, George, and Stern voting aye.

4. **B. O. 09-677** - Consideration of amending the HHS position management roster to add one full-time HS Specialist 2 in Family & Youth.

Ms. George moved approval of item C(4). The motion passed, Commissioners Lewis, George, and Stern voting aye.

5. **B. O. 09-678** - Consideration of authorizing the Public Works Road and Shop Division to change to the 5-8 winter shift schedule, effective November 1, 2009.

Ms. Lewis moved approval of item C(5). The motion passed, Commissioners Lewis, George, and Stern voting aye.

#### Contracts/Grants

6. **B. O. 09-679** - Consideration of authorizing the Chair to sign an agreement between Yamhill County and ABM Janitorial, provider, for janitorial services, \$266,754, effective January 1, 2010, through December 31, 2011, subject to approval by County Counsel.

After some discussion with John Gray about the bidding and protest process, Ms. Lewis moved approval of item C(6). The motion passed, Commissioners Lewis, George, and Stern voting aye.

7. **B. O. 09-680** - Consideration of approval of Agreement #129972 between HHS Public Health, provider, and Oregon Department of Human Services, for the “My Future – My Choice” program, not to exceed \$1348, effective through September 30, 2010.

Ms. George moved approval of item C(7). The motion passed, Commissioners Lewis, George, and Stern voting aye.

8. **B. O. 09-681** - Consideration of approval of an agreement between HHS Developmental Disabilities and SCVP, Inc., provider, for vocational services to adults with developmental disabilities, \$320,178, retroactive to July 1, 2009, through June 30, 2010.

Ms. George moved approval of item C(8). The motion passed, Commissioners Lewis, George, and Stern voting aye.

9. **B. O. 09-682** - Consideration of approval of an agreement between HHS Developmental Disabilities and Yamhill Community Action Partnership, Inc. (YCAP), provider, for client transportation services, \$35 per client per month, retroactive to July 1, 2009, through June 30, 2010.

Ms. George moved approval of item C(9). The motion passed, Commissioners Lewis, George, and Stern voting aye.

10. **B. O. 09-683** - Consideration of approval of Amendment #3 to the 2009-11 Financial Assistance Agreement #127319 between HHS and Oregon Department of Human Services.

Ms. George moved approval of item C(10). The motion passed, Commissioners Lewis, George, and Stern voting aye.

11. **B. O. 09-684** - Consideration of approval of Grant Agreement 09-VOCA-3477 between the District Attorney’s Office, grantee, and Oregon Department of Justice for Victims of Crime Act funding, \$38,187, effective through September 30, 2010.

Ms. Stern moved approval of item C(11). The motion passed, Commissioners Lewis, George, and Stern voting aye.

12. **B. O. 09-685** - Consideration of authorizing the Chair to sign a Community Development Block Grant reservation letter for 2010 funding for the Yamhill/Polk Regional Housing Center, \$96,000.

Ms. George moved approval of item C(12). The motion passed, Commissioners Lewis, George, and Stern voting aye.

13. **B. O. 09-686** - Consideration of declaring Newberg Surveying, Inc., as the top proposer in the Surveying Services RFP; authorize a notice of intent to award the contract to Newberg Surveying, Inc.

Mr. Gray provided background information on the process used for evaluating the proposals. Dan Linscheid noted that Newberg Surveying, Inc., was unanimously recommended by the selection committee. He said that he is confident that contracting out these services will work out well. Ms. Lewis moved approval of item C(13). The motion passed, Commissioners Lewis, George, and Stern voting aye.

14. **B. O. 09-687** - Consideration of modifying Board Order 09-181 to add consulting services for WH Pacific, Inc., provider, on the North Valley Road 1R Overlay Project, not to exceed \$42,000.

After some discussion, Ms. Lewis moved approval of item C(14). The motion passed, Commissioners Lewis, George, and Stern voting aye.

#### Authority

15. **B. O. 09-688** - Consideration of amending Board Order 09-559 to expand the list of employees authorized to take actions relating to persons deemed dangerous to self or others or mentally ill persons placed on conditional release, outpatient commitment, or trial release.

Ms. George moved approval of item C(15). The motion passed, Commissioners Lewis, George, and Stern voting aye.

#### Policy

16. **Continued to next week** - Consideration of adopting a county policy on access by media to executive sessions.

Mr. Gray stated that the Oregon Legislature has never been able to define “news media” and this policy includes a list of accepted news media entities as well as a process for other entities to request such status from the county for the purpose of attending executive sessions. The commissioners pointed out several additional entities that should be on the list. Mr. Gray agreed to revise the language for the following week.

#### Committees

17. **B. O. 09-689** - Consideration of approval of the following changes to the Local Public Safety Coordinating Council:

- a. Acknowledge the resignation of Lt. Marty West;
- b. Appoint Sgt. Brad Hessel to fill the remainder of Lt. West’s term through July 2012.

Ms. Stern moved approval of item C(17). The motion passed, Commissioners Lewis, George, and Stern voting aye.

#### Roads

18. **B. O. 09-690** - Consideration of approval of Public Works Docket RV-2-09, a request to vacate County Road 402S, subject to written approval by the Public Works Director and County Engineer, no public hearing necessary under ORS 368.351.

Ms. Lewis moved approval of item C(18). The motion passed, Commissioners Lewis, George, and Stern voting aye.

19. **B. O. 09-691** - Consideration of accepting a roadway deed from the Robert D. White Revocable Living Trust.

Ms. Lewis moved approval of item C(19). The motion passed, Commissioners Lewis, George, and Stern voting aye.

Ordinances

20. **B. O. 09-692** - Consideration of adoption of Ordinance 843 amending the Ambulance Service Ordinance to allow franchised providers to subcontract services.

Mr. Gray stated that this amendment was requested by McMinnville Fire Department in order to allow them to subcontract with a private contractor to cover the Gaston area. He said that the amendment was recommended by the Ambulance Service Area Advisory Committee. He provided the first and second readings of the ordinance by title only, declaring an emergency. Ms. George moved to adopt the ordinance. The motion passed, Commissioners Lewis, George, and Stern voting aye.

D. **OLD BUSINESS:** None.

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

1. **B. O. 09-693** - Consideration of authorizing the Chair to sign an Assignment of Purchase Rights agreement between Information Systems and Unisys Corporation in connection with Board Order 09-621, subject to approval by County Counsel.

Murray Paolo stated that he would like to review the attachments before the agreement is approved. Ms. Lewis moved approval of item E(1). The motion passed, Commissioners Lewis, George, and Stern voting aye.

2. **B. O. 09-694** - Consideration of approval of a revised grant agreement between the Commission on Children & Families, grantee, and the Oregon Community Foundation for the OCF Reading for All project, \$81,666 for the first year, effective through September 30, 2012, replacing Board Order 09-586.

Ms. George moved approval of item E(2). The motion passed, Commissioners Lewis, George, and Stern voting aye.

3. **B. O. 09-695** - Consideration of the reappointment of Mike Ragsdale to the Parkway Committee for a three-year term to expire September 22, 2012; acknowledge the term expiration of Donald Skei.

