

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 November 22, 2010, at 2:00 p.m. in the Oval Office of the Fenton House, Commissioners Kathy George, Mary P. Stern, and Leslie Lewis being present.

Also present were Laura Tschabold, County Administrator; Rick Sanai, County Counsel; Christian Boenisch, Deputy County Counsel; Pat Anderson, Human Resources; Murray Paolo, Information Systems Manager; Hannah Hoffman, News-Register; David Robles; and Joseph Gall, 1156 SW Westvale St, McMinnville.

Commissioner George called the meeting to order at 2:04 p.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.

Joseph Gall stated that he and his relatives had served to preserve the freedom of expression that government officials have, but the rule of law is not being followed in Oregon and government officials have been dishonoring the oath of office for the past eight years. He stated that the commissioners did not support his appeal six years ago against the county assessor, David Lawson, and against county legal counsel, John Gray and Rick Sanai. Ms. George explained that the matter has already been dismissed by the courts and there is nothing the commissioners can do about it.

Mr. Gall questioned why the county’s organizational chart now shows the commissioners as equal to the other offices in the county. Ms. Stern explained that county commissioners have no supervisory control over other elected officials, based on Oregon’s law and constitution, and the county recently changed the organizational chart to more correctly reflect how county government is set up. She said that she could provide the statute for each elected position.

David Robles stated that he has been familiar with all of the county commissioners since he was 22 years old and does not agree with Mr. Gall’s statements. He said that he would like to offer his services in connection with the homelessness task force. Ms. George said that he would be welcome to attend the meetings and could get those dates from office staff.

**B. AGENDA:**

Minutes

1. Consideration of approval of the following formal session minutes:
  - a. **B. O. 10-732** - October 14, 2010;
  - b. **B. O. 10-733** - October 21, 2010;
  - c. **B. O. 10-734** - October 28, 2010.
  
2. Consideration of approval of the following informal session minutes:
  - a. **B. O. 10-735** - October 25, 2010, work session;
  - b. **B. O. 10-736** - October 25, 2010.

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

Personnel

3. **B. O. 10-737** - Consideration of the employment of Aria Deleon and Denise Vega as HS Associate 1 in HHS Public Health, temporary part-time, Range 14, Step 1, effective November 24, 2010, through June 30, 2011.
  
4. **B. O. 10-738** - Consideration of the employment of Jessica Beach as Community Corrections Supervisor, regular full-time, Range 25, Step 4, effective December 6, 2010.
  
5. **B. O. 10-739** - Consideration of the change of status of Margaret Amsden to regular part-time employment in the District Attorney's Office, .8 FTE, retroactive to November 9, 2010.

Ms. Stern moved approval of items B(3) through B(5) and items D(1) and D(2). The motion passed, Commissioners George, Stern, and Lewis voting aye.

6. **B. O. 10-740** - Consideration of a request to credit Steve Manley for employment in the Sheriff's Office from 1974-1981, increasing his total years of service to 32.

Pat Anderson reviewed Mr. Manley's employment history, explaining that he had worked for the Sheriff's Office from 1974 to 1981, then for the City of Sheridan from 1985 to 1990, at which time he was brought back on as Sheriff's Office deputy when the county assumed responsibility for providing police services to the City of Sheridan. She agreed with Captain Huber's recommendation that Mr. Manley not be given credit for the five years he was employed by the city. She said that awarding the service credit would not affect his PERS or have any financial impact, but would affect his longevity, FET accrual rate, and years of service award. She emphasized the need for the Board to provide guidelines in answering similar requests in the future.

The group discussed the issues of acknowledging years of service for employees absorbed from another jurisdiction and for employees with a break in county employment. The Board agreed to have Ms. Anderson and Ms. Tschabold work on developing a county policy for

future requests. Ms. Stern stated that Carol White had researched Mr. Manley's personnel file and the county has been crediting him for 1985 to 1990 all along, so the question at hand is whether to credit him for the years worked from 1974 to 1981, with the total years of service being either 25 or 32, not 27. Ms. Tschabold stated that, with that clarification, 32 is the right number. Ms. Anderson said that she doesn't believe the county is required to give credit for the years he was employed by the city, but it would be a good gesture.

Ms. Stern moved approval of item B(6), noting that the Board does not consider this decision to be precedent-setting because it is a de minimis expense. The motion passed, Commissioners George, Stern, and Lewis voting aye.

#### Contracts/Grants

7. **B. O. 10-741** - Consideration of approval of a contract employee agreement between Yamhill County and John M. Gray, Jr. for special counsel services, \$120/hour, effective November 22, 2010.

Rick Sanai stated that Mr. Gray had spent about five hours working on the language for the Teamsters collective bargaining agreement. Ms. George moved approval of item B(7). The motion passed, Commissioners George, Stern, and Lewis voting aye.

8. **B. O. 10-742** - Consideration of approval of an agreement between HHS Public Health and Mark Miller, DMD, provider, for pro bono Dental Director services, retroactive to November 1, 2010, through June 30, 2011.

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

9. **B. O. 10-743** - Consideration of approval of an agreement between HHS Developmental Disabilities and Larry Hailey, provider, for client transportation services, \$3200, retroactive to June 8, 2010, through June 30, 2011.

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

10. **B. O. 10-744** - Consideration of approval of Service Element Prior Authorization (SEPA) Approval Unit #509252 for the 2009-11 Financial Assistance Agreement #127319 between HHS, provider, and Oregon Department of Human Services, \$80,713.

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

#### Surplus Property

11. **B. O. 10-745** - Consideration of declaring miscellaneous computer equipment as surplus county property to be sold at a surplus sale on December 6, 2010, from 10:00 a.m. until noon in the County Annex; authorize a \$200 change fund for the day of the sale.

Murray Paolo explained that he is still selling surplus equipment on the county's website, but Information Systems has accumulated monitors and can sell the equipment as complete systems, providing a service to the community at this time of year. Ms. George moved approval of item B(11). The motion passed, Commissioners George, Stern, and Lewis voting aye.

12. **B. O. 10-746** - Authorize the purchase of three new Ford Crown Victorias for the Sheriff's Office from Chuck Colvin Ford of McMinnville for \$23,048 each; designate Units P-234, P-232, and P-228 as surplus county property to be sold.

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

#### Committees

13. **B. O. 10-747** - Consideration of the appointment of Lynai Briggs to the Housing Authority Board for a five-year term to expire December 31, 2015.

Ms. George moved approval of item B(13). The motion passed, Commissioners George, Stern, and Lewis voting aye.

14. **B. O. 10-748** - Consideration of the appointment of Harvey Nelson, Mary Jo Lewis, and Lucy King to both the County Governing Body Pool and the Non-Office Holder Pool for the 2011 Board of Property Tax Appeals, terms to expire June 30, 2011.

Ms. Lewis moved approval of item B(14). The motion passed, Commissioners George, Stern, and Lewis voting aye. Ms. Lewis said that she hopes Becky Stern Doll will be able to find additional people for the pools. She stated that these three volunteers served last year and did a good job, but there was some frustration due to a lack of understanding about land use laws. She said that she had talked to Scott Maytubby about providing some education.

15. **B. O. 10-749** - Consideration of the following actions for the Parkway Committee:  
a. Appoint Ted Crawford for a two-year term to expire January 9, 2013;  
b. Reappoint Bob Andrews, Dave Haugeberg, and Jim Snell for four-year terms to expire September 22, 2014;  
c. Acknowledge the service expiration of Don Sundeen and Ken Myers.

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

16. Acknowledge the resignation of Cheryl Gebhart and Carol Harper from the Commission on Children & Families. *[Acknowledged; no formal action necessary.]*

Ms. George moved approval of item B(16), stating that Ms. Gebhart and Ms. Harper have both given excellent service. The motion passed, Commissioners George, Stern, and Lewis voting aye.

Food Drive

17. Discussion of the YCEA-sponsored food drive. *[No formal action taken.]*

C. **OLD BUSINESS:** None.

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

1. **B. O. 10-750** - Consideration of the employment of Sharika Parker as HS Associate in HHS Adult Mental Health and ECF/RTF, temporary part-time, Range 14, Step 2, effective December 1, 2010, through June 30, 2011.

2. **B. O. 10-751** - Consideration of the employment of David Manitsas as Program Manager 3 in HHS Family & Youth, regular full-time, Range 27, Step 3, effective December 6, 2010.

3. **B. O. 10-752** - Consideration of approval of Modification #8 to Attachment N of an agreement between HHS, provider, and Mid-Valley Behavioral Care Network for Community Integration Leader services.

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

4. **B. O. 10-753** - Consideration of ratifying the submission of the 2010 ATV grant application by the Sheriff's Office to Oregon Parks & Recreation, \$191,876.

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

5. **B. O. 10-754** - Consideration of authorizing the Sheriff's Office to submit a grant application to the Walmart Local Community Contribution Fund for crash and crime scene reconstruction equipment and software, \$14,205.

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

Ms. Stern reported that she had attended a meeting about feral cats at the fairgrounds and ongoing efforts to get them trapped and spayed or neutered. She stated that many people are volunteering to help with the situation and a lot of community resources are being involved. She said that volunteers would be asking the Budget Committee for an allocation of funds to help the efforts.

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, two regular lay members, two regular professional members, and three alternate members;
- b. Fair Board, one position.
- c. Parks & Recreation Board, one position;
- d. Planning Commission, one position;
- e. Special Transportation Advisory Commission, one position;
- f. Mid-Willamette Valley Area Commission on Transportation (MWACT) , Private Sector position (first posted 10-21-10).

2. Due to the holiday, the Commissioners’ Office will be closed on November 25.

The meeting adjourned at 3:10 p.m.

Anne Britt  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair	KATHY GEORGE
Commissioner	MARY P. STERN
Commissioner	LESLIE LEWIS