

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 December 9, 2010, at 10:00 a.m. in Room 32 of the Courthouse, 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; John Phelan, Public Works Director; Nicole Montesano, News-Register; Lisa Friberg, 18211 SW Sunnyridge Ln, Sheridan; Rae Parlier, 18420 SW Sunnyridge Ln, Sheridan; Mike and Laura Griffith, 17640 SW Sunnyridge Ln, Sheridan.

Commissioner George 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. Stern moved approval of the consent agenda. The motion passed, Commissioners George, Stern, and Lewis voting aye.

Personnel

1. **B. O. 10-764** - Approve the employment of Alina Flores as Office Specialist 2 in HHS Adult Mental Health, regular full-time, Range 7, Step 2, effective December 13, 2010.
2. **B. O. 10-765** - Approve the employment of personnel in the Sheriff’s Office as follows:
 - a. Michael Mendenhall, Patrol Reserve Deputy, \$10.00/hr, retroactive to December 3, 2010;
 - b. Tracie Utti, Records Clerk, regular full-time, Range 5, Step 2, effective December 9, 2010.
3. **B. O. 10-766** - Approve the employment of Brooke Gray as Office Specialist I in the Commission on Children and Families, temporary part-time, \$8.40/hr, effective December 9, 2010, through June 30, 2011.

Contracts

4. **B. O. 10-767** - Approve the annual renewal of the maintenance contract between

Maintenance Division and Carrier Commercial Services, Beaverton, for courthouse air conditioning services, \$9120/year, retroactive to December 1, 2010, through November 30, 2011.

5. **B. O. 10-768** - Approve a modification to Board Order 08-581 to acknowledge a change in the contractor's business name to Aesthetic Dental Arts, LLC (formerly, O'Neill S. Solanky, D.D.S.), effective immediately.

6. **B. O. 10-769** - Approve a board order between the Commission on Children & Families and Public Health to provide the Healthy Start program with funding in the amount of \$123,741 in state general funds, and up to \$72,500 in Medicaid Administrative Claiming funds, retroactive to July 1, 2010, through June 30, 2011.

Asbestos Mitigation

7. **B. O. 10-770** - Approve an asbestos mitigation project in the Juvenile Department, \$9,545, to be completed prior to scheduled refurbishment of the department.

C. **OLD BUSINESS:** None

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

1. **B. O. 10-771** - Consideration of the change of status of the following employees in HHS Public Health, retroactive to November 24, 2010:

- a. Jeanine Wearner, reduce hours as Registered Nurse 2 from .9 to .75 FTE;
- b. Maria (Olga) Aguirre, reduce hours as Nursing Assistant from .8 to .75 FTE and increase hours as HS Associate from .2 to .25 FTE.

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

2. **B. O. 10-772** - Consideration of the employment of Josh Armstrong, Beckie Lafferty, Danielle Woods, Richard Weaver, Narciso Vasquez, and Adriana Yonally as on-call relief in Juvenile Corrections, \$8.40/hour, effective December 9, 2010.

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

3. **B. O. 10-773** - Consideration of the temporary change of status of Debra Bridges to part-time employment in the District Attorney's Office, .8 FTE, effective January 9, 2011, through June 8, 2011.

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

4. **B. O. 10-774** - Consideration of Amendment #3 to the 2010-11 Financial Assistance Agreement #132036 between HHS Public Health and Oregon Department of Human Services to increase the funding by \$37,180 (\$34,730 is to fund immediate corrective actions in the county's H1N1 After Action Report; additional funds included to reimburse the county for the 2010 Clinician's Conference).

Ms. George moved approval of item D(4), stating that she would get additional information from Public Health about the report to provide to the Board the following the week. The motion passed, Commissioners George, Stern, and Lewis voting aye.

5. Consideration of ratification of the following amendments to the 2009-11 Financial Assistance Agreement #127319 between HHS and Oregon Department of Human Services to provide secure client transports:

- a. **B. O. 10-775** - Amendment #30, \$560;
- b. **B. O. 10-776** - Amendment #33, \$140.

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

6. **B. O. 10-777** - Consideration of Amendment #1 to the Intergovernmental Agreement #129871 between HHS Abacus and Oregon Department of Human Services (B.O. 09-802) to extend the expiration date to March 31, 2011.

Ms. George moved approval of item D(6). The motion passed, Commissioners George, Stern, and Lewis voting aye.

7. **B. O. 10-778** - Consideration of approval of Grant Agreement #26568 between the Transit Division, grantee, and Oregon Department of Transportation for the Jobs & Transportation Act, \$129,663, effective through June 30, 2011.

Ms. Lewis moved approval of item D(7), explaining that the county has known about this grant for some time, but the paperwork has been slow in coming. The motion passed, Commissioners George, Stern, and Lewis voting aye.

E. PUBLIC HEARINGS:

1. **B. O. 10-779** - Consideration of a permit application for the private paving of Sunnyridge Lane, as continued from November 22, 2010, at the point of Staff Recommendation. *[Approved.]*

Ms. George opened the public hearing.

Staff Recommendation - John Phelan stated that Sunnyridge Lane is a local access road, so the maintenance falls by default to the individuals using the road. He strongly recommended that residents on local access roads establish CC&Rs (covenants, conditions and restrictions) to avoid situations like this one. He reviewed the proposed road design and stated that an unpaved

roadway with a 15% grade would adversely affect access by emergency vehicles most days, and paving the road would enhance living conditions. He recommended a gravel shoulder of at least two feet on each side of the road. He recommended calculating the votes by using buildable tax lots accessed by Sunnyridge Lane, since those properties would be enhanced by a paved road, and distributed copies of a map showing those lots (see Exhibit A). He said that the result of counting the votes this way would be nine in favor of paving and seven opposed.

Ms. George stated for the record that she and Ms. Lewis had both taken a site visit with Mr. Phelan.

Ms. Lewis stated that because the county does not maintain this road, she would rather have the residents come to their own conclusion about paving rather than have the Board make the decision. She said that if the residents are not able to come to a decision and want the Board to make the decision on their behalf, she would be in favor of paving because steep gravel roads are a danger much more of the year than icy roads are. She said that dust-related health issues also seem to outweigh aesthetic concerns.

Ms. Stern stated that this is a public road and it is up to the Board to make a decision that is in the best interest of all citizens. She said that safety issues have been raised by residents on both sides of the issue, but the number of days that a gravel road is a safety hazard is far greater than the number of days a paved road is icy. She stated that most people buy property with the intention of making improvements, and it makes sense to think that paving the road would provide future benefits, as the market value of the properties would be better with a paved road. She said that she had hoped the residents could resolve the issue because it is their neighborhood, but if they want the Board to make the decision, she would have to take into account that it is a public road and should be made safer. She agreed with Mr. Phelan that using buildable tax lots is the best and most fair way to count the votes, since people with property interests should be recognized. She noted that the residents may not necessarily need CC&Rs, but should establish a homeowners' association and road maintenance agreement.

Ms. George agreed that paving this road should be a local decision as much as possible. She said that she would be willing to give her permission to pave if that's the decision of the residents, but she is uncomfortable with the current state of the discussions between neighbors.

Mr. Phelan stated that if the Board wants to ask the neighbors to try mediation again, he would be willing to attend. Ms. Stern said that the residents might want to visit Wilkerson Road or other similar roads that have been done as half gravel and half pavement. Rae Parlier and Mike Griffith agreed that more mediation would not be helpful because nobody would change their votes.

Ms. Lewis moved approval of the paving permit application, subject to the road requirements presented by Public Works. The motion passed, Commissioners George, Stern, and Lewis voting aye.

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).

The meeting adjourned at 11:01 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair KATHY GEORGE

Commissioner MARY P. STERN

Commissioner LESLIE LEWIS

