

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 February 10, 2011, at 10:00 a.m. in Room 32 of the Courthouse, Commissioners Leslie Lewis and Kathy George being present and Commissioner Mary P. Stern being excused.

Also present were Laura Tschabold, County Administrator; Rick Sanai, County Counsel; Christian Boenisch, Deputy County Counsel; Stephanie Armstrong, Associate Planner; Hannah Hoffman, News-Register; and Dennis Spath, 22330 SW Chapman Rd, Sherwood.

Commissioner Lewis called the meeting to order at 10:02 a.m. She requested that the group observe a moment of silence for Commissioner Stern, whose father had passed away the previous day.

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 Lewis and George voting aye.

Minutes

1. Approve the following formal session minutes:
 - a. **B. O. 11-66** - December 2, 2010;
 - b. **B. O. 11-67** - December 9, 2010;
 - c. **B. O. 11-68** - December 16, 2010;
 - d. **B. O. 11-69** - December 20, 2010.

Personnel

2. **B. O. 11-70** - Approve the temporary change of status of Lindsey Manfrin to full-time employment in HHS Public Health, retroactive to January 24, 2011, through April 8, 2011.
3. **B. O. 11-71** - Approve the temporary change of status of Carolyn Graham to full-time employment in HHS Public Health, retroactive to January 24, 2011.

Contracts/Grants

4. **B. O. 11-72** - Ratify approval of Amendment #38 to the 2009-11 Financial Assistance

Agreement #127319 between Health & Human Services and Oregon Department of Human Services, retroactive to January 27, 2011.

Permits

5. **B. O. 11-73** - Submit an application to amend the county's permit with Bureau of Land Management to allow for expansion of the county's compound at the High Heaven tower site so that ODOT/OWIN can install a new equipment shelter and make other necessary improvements.

Committees

6. **B. O. 11-74** - Approve the appointment of Dan Armstrong to the Planning Commission for a term to expire July 1, 2015.

C. **OLD BUSINESS:** None.

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

1. **B. O. 11-75** - Consideration of the employment of Lizzett Lara as Senior Office Specialist in the District Attorney's Office Family Support Division, regular full-time, Range 10, Step 4, retroactive to February 9, 2011.

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

2. **B. O. 11-76** - Consideration of accepting the apparent low bid of IRS Environmental of Portland, Inc., for asbestos abatement in the courthouse, \$147,220, and authorize a notice of intent to award the contract.

Christian Boenisch stated that PMG, Inc., was the lowest bid submitted, but the bid was not in compliance because not all of the documents in the packet were returned. Ms. George moved approval of item D(2). The motion passed, Commissioners Lewis and George voting aye.

3. **B. O. 11-77** - Consideration of accepting the apparent low bid of Robert Lloyd Sheet Metal, Inc., for remodeling of HVAC controls in the courthouse, \$360,000, and authorize a notice of intent to award the contract.

Mr. Boenisch stated that one bidder was rejected because of failure to submit a bid for the third alternate project. He said that it is unclear at this point if all three alternate projects will actually be completed. Ms. George moved approval of item D(3). The motion passed, Commissioners Lewis and George voting aye.

4. **B. O. 11-78** - Consideration of adopting Ordinance 861 in support of Planning Docket Z-05-10, a request for zone change from EF-80 to AF-80 on approximately 160 acres, applicant Frank Walker representing the James J. Evans Revocable Trust, as tentatively approved by the Planning Commission on January 6, 2011.

Rick Sanai provided the first and second readings of Ordinance 861 by caption only, declaring an emergency. Ms. George moved approval of the ordinance. The motion passed, Commissioners Lewis and George voting aye.

5. **B. O. 11-79** - Consideration of adopting Ordinance 862 in support of Planning Docket Z-02-06, a request for zone change from VLDR-2.5 to VLDR-1 on 10 acres, applicant Mike Bowlin, as tentatively approved by the Planning Commission on July 6, 2006.

Mr. Sanai provided the first and second readings of Ordinance 862 by caption only, declaring an emergency. Ms. George moved approval of the ordinance. The motion passed, Commissioners Lewis and George voting aye.

6. Consideration of amending the bylaws of the Classification Committee to designate the County Administrator as chair and update the language to reflect current job titles. *[Amended bylaws to be adopted February 17, 2011; Laura Tschabold authorized to chair the Classification Committee meeting on February 16, 2011, in Commissioner Stern's absence.]*

Ms. Lewis moved approval of item D(6) and of allowing Ms. Tschabold to chair the Classification Committee meeting in Ms. Stern's absence. The motion passed, Commissioners Lewis and George voting aye.

E. PUBLIC HEARINGS:

1. Consideration of Planning Docket FT-07-10(SA), a request for a forest template dwelling, applicant Frank Walker & Associates representing George Rose, appellant John Albin. *[Continued to March 17, 2011.]*

Ms. Lewis opened the public hearing. Stephanie Armstrong recommended that the docket be continued to March 10, 2011. Ms. Lewis moved to continue the docket to March 17, noting that she has a meeting scheduled in Salem on March 10. The motion passed, Commissioners Lewis and George voting aye. Ms. Armstrong stated that she would check with the other parties about their availability on March 17.

2. Consideration of Planning Docket PAZ-05-10(SA), a request for plan amendment/zone change from AF-10 Agriculture/Forestry to PAI Public Assembly Institutional for expansion of the existing cemetery by 1/2-acre, applicant Gibbs Cemetery. *[Tentatively approved, findings to be adopted February 17, 2011.]*

Ms. Lewis opened the public hearing. There were no abstentions or objections to jurisdiction. She and Ms. George both stated that they are very familiar with the site, so a site visit was not necessary. Rick Sanai read the statement required for land use hearings relating to the requirement that parties must raise all issues at the hearing or waive their right to raise the issues on appeal.

Staff Report - Ms. Armstrong described the subject property, the existing cemetery, the surrounding property and zoning, and the approval criteria. She noted that the Planning

Commission had voted unanimously on January 6 to recommend approval of the request.

Proponents - Dennis Spath stated that he is donating a portion of his property to the cemetery. He said that the cemetery needs more space and he has family buried there himself.

Opponents - None.

Public Agency Reports - None in addition to those already in the record.

Staff Recommendation - Ms. Armstrong recommended approval of the request with a limited use overlay to limit the use of the subject property to the cemetery and related facilities.

Close of Public Hearing / Deliberations - Ms. George moved tentative approval of Planning Docket PAZ-05-10, with findings to be adopted on February 17, 2011. The motion passed, Commissioners Lewis and George voting aye. Ms. Lewis expressed her appreciation to the Gibbs community and all of the people who maintain the cemetery facility. Ms. George thanked Mr. Spath for donating the land.

F. ANNOUNCEMENTS:

1. The following positions are open to the public. Contact the Commissioners' Office for applications.
 - a. Commission on Children & Families, four full members and three alternate members;
 - b. Parks & Recreation Board, one position;
 - c. Mid-Willamette Valley Area Commission on Transportation (MWACT) , Private Sector position (first posted 10-21-10).

Ms. Lewis stated that Jody Christensen of McMinnville Economic Development Partnership is not able to serve on MWACT herself, but has suggested another possibility. She said that she would bring the proposed appointment to the Board for consideration after contacting the gentleman.

The meeting adjourned at 10:29 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY P. STERN

Commissioner LESLIE LEWIS

Commissioner KATHY GEORGE