

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 April 28, 2011, at 10:00 a.m. in Room 32 of the Courthouse, Commissioners Mary P. Stern, Leslie Lewis, and Kathy George being present.

Also present were Laura Tschabold, County Administrator; Chuck Vesper, Deputy County Administrator; Rick Sanai, County Counsel; Mike Brandt, Planning Director; Scott Maytubby, Assessor; Hannah Hoffman, News-Register; Joseph Gall, 1156 SW Westvale St, McMinnville; and Zachary Geary, 1951 Oleander Ct.

Commissioner Stern 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.

Joseph Gall requested more than three minutes to present his testimony. The request was denied. He said that in any other setting, a report of criminal conduct would have been handled immediately, but he has heard no response from the Board regarding his previous petitions for redress of grievances, which identified employees who had committed criminal acts. Ms. Stern explained that the commissioners have not been able to find Mr. Gall’s materials from last November and she wanted to make sure they had read all of the materials before making a response. Mr. Gall said that he doesn’t recall submitting anything in November. Ms. Lewis said that she had found a packet of material Mr. Gall had given her through Barbara Stanley, which she gave to county counsel, but she believes that pre-dated his November comments. Mr. Gall clarified that the material he had given Ms. Lewis was of a personal nature to be used as she saw appropriate.

B. **CONSENT AGENDA:** Ms. George moved approval of the consent agenda. The motion passed, Commissioners Stern, Lewis, and George voting aye.

Personnel

1. **B. O. 11-225** - Approve the employment of Mary LaVoie and Peter Jensen as Laborer 1 in Public Works, temporary full-time, \$12/hour, effective May 2, 2011, through November 8, 2011.

2. **B. O. 11-226** - Ratify the employment of Rohn Reid as Laborer 2 in Public Works, temporary full-time, \$16/hour, retroactive to April 18, 2011, through April 18, 2011.

3. **B. O. 11-227** - Approve the employment of Dwight Demmin as Community Services Supervisor in Community Corrections, temporary part-time, Range 14, Step 1, effective April 29, 2011, through October 29, 2011.
4. **B. O. 11-228** - Approve the change of status of Caren Anderson to Administrative Office Specialist in HHS Public Health, regular full-time, Range 14, Step 8, effective May 9, 2011.

Clarification from Becky Weaver: The monthly salary for this range and step is \$3851.84, but Ms. Anderson's salary will be frozen at her current level of \$4198.87 until such time as the salary associated with her range and step reaches that level through cost of living adjustments or other means. This agreement was made specific to Ms. Anderson and her skill set, and it was not the intent to increase the salary range for this position.

5. **B. O. 11-229** - Approve the change of status of Aisha Redl to regular part-time employment in HHS Chemical Dependency, .75 FTE, retroactive to April 24, 2011.

Contracts/Grants

6. **B. O. 11-230** - Approve a grant agreement between HHS Public Health, grantee, and Education Northwest for \$3000 for the Healthy Start program to purchase books for families, retroactive to November 1, 2010, through September 30, 2011.
7. **B. O. 11-231** - Approve Service Element Prior Authorization (SEPA) Approval Unit #527284 for the 2009-11 Financial Assistance Agreement #127319 between HHS and Oregon Department of Human Services, \$6536.

Audit

8. **B. O. 11-232** - Accept the 2009-10 audit report from Boldt, Carlisle & Smith.

Budget

9. **B. O. 11-233** - Establish a reserve account for the Comcast property tax appeal, \$404,934.

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

1. **B. O. 11-234** - Consideration of the employment of Dorabeth Mendez as Office Specialist 2 in HHS Adult Mental Health, regular full-time, Range 7, Step 3, effective May 9, 2011.

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

2. **B. O. 11-235** - Consideration of the employment of Lucia Mendez-Rubio as Office Specialist 2 in HHS Adult Mental, temporary part-time, Range 7, Step 5, effective May 9, 2011, through June 30, 2012.

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

3. **B. O. 11-236** - Consideration of the employment of Linda Smith as Accounting Clerk 2 in Administrative Services, regular full-time, Range 10, Step 1, effective May 9, 2011.

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

4. **B. O. 11-237** - Consideration of the change of status of Alicia Schelb to .2 FTE in the Planning Department, effective May 2, 2011.

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

5. **B. O. 11-238** - Consideration of authorizing the Assessor's Office to apply for the 2011-12 Assessment & Taxation Grant from Oregon Department of Revenue, \$2,051,093.

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

6. **B. O. 11-239** - Consideration of approval of an agreement between the Sheriff's Office, provider, and Benton County for the housing of ten Benton County inmates in the Yamhill County Correctional Facility, effective July 1, 2011, through June 30, 2013.

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

7. **B. O. 11-240** - Consideration of approval of an agreement between Public Works and Roy Houck Construction, LLC, provider, for the 2011 Overlay Project, \$1,416,371, effective through September 30, 2011.

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

8. **B. O. 11-241** - Consideration of approval of an agreement between Public Works and Cardno ENTRIX, provider, for the preparation of a Low-Effect Habitat Conservation Plan, in compliance with state and federal Endangered Species Act requirements, for county road maintenance activities that could potentially affect ESA-listed species, including but not limited to the Fender's blue butterfly and Kincaid's lupine, not to exceed \$98,157.

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

D. OLD BUSINESS:

1. **B. O. 11-242** - Consideration of adoption of Ordinance 864 in support of Planning Docket G-02-10(KF), a request for modifications to Goal 3, 11, and 14 exceptions for the Newberg-Dundee Bypass corridor and the East Dundee Interchange adopted in 2004; to adopt four new exceptions to Goals 3, 11, and 14 associated with the bypass project; and to amend the Comprehensive Plan, Transportation System Plan, and land use regulations to adopt or amend plan policies related to the bypass corridor; applicant Yamhill County (procedure initiated by Oregon Department of Transportation), as tentatively approved April 7, 2011.

Rick Sanai provided the first and second readings of Ordinance 864 by title only, declaring an emergency. Ms. Lewis moved approval of the ordinance. The motion passed, Commissioners Stern, Lewis, and George voting aye.

E. PUBLIC HEARINGS:

1. Consideration of an increase in the Planning Department fee schedules. *[Tentatively approved, order to be adopted May 12, 2011.]*

Ms. Stern opened the public hearing.

Mike Brandt stated that the decision to raise fees was not made lightly, and his department prides itself on exceptional public service without adding to the tax burdens of the public. He read a letter dated April 21, 2011, from an architect working on a big project for the last several years, who had thanked the Planning Department for its reasonableness in applying code and for giving conscientious public service.

He said that the proposed fee increases are justified and have been kept to a minimum. He noted that the new fees are equal to or less than those of comparable counties. He said that his memo to the Board dated April 4, 2011, outlines the proposed fee schedules and the reasons for the fee increases, which include changes in statute and case law that have added to the procedure and cost of land use applications. He pointed out that fee revenue in his department has generally covered less than 70% of the actual expenses, without counting his salary or clerical help.

There being no public comment, Ms. Stern closed the hearing. Ms. Lewis stated that it is important to continue the annual CPI adjustment that was incorporated into the fee schedule several years ago and takes place on July 1. Mr. Brandt agreed, but said that he would not take the CPI adjustment this year. Ms. George expressed disappointment that the county cannot raise the initial appeal fee or hearing request fee, but stated that those fees are set by the legislature.

Ms. Stern moved tentative approval of the new fee schedules, with the CPI adjustment to begin on July 1, 2012, and the board order to be adopted on May 12, 2011. Ms. Lewis expressed appreciation for the outstanding customer service that the Planning Department gives to the public, and to Mr. Brandt for taking the time to go through the proposal with her and setting the home occupation fees separately. Ms. Stern said that it is unusual for a Planning Department to

be completely fee-based, but Yamhill County has been able to do that because of the great job that Mr. Brandt and his staff do in providing services to a small portion of the citizens, and that allows the county to use general fund dollars for services to a greater number of county's citizens. The motion passed, Commissioners Stern, Lewis, and George voting aye. Mr. Brandt noted that the administrative professionals in his office are one reason he is able to keep costs down and provide such great service.

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.

The meeting adjourned at 10:35 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY P. STERN

Commissioner LESLIE LEWIS

Commissioner KATHY GEORGE