

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, 2011, at 9:00 a.m. in the Commissioners’ Office, Commissioners Mary P. Stern, Leslie Lewis, and Kathy George being present.

Also present were Laura Tschabold, County Administrator; Rick Sanai, County Counsel; Pat Anderson, Human Resources; Mike Brandt, Planning Director; Ken Friday, Planning Division Manager; Dave Morgan, NewsYamhillCounty.com; Ossie Bladine, News-Register; Michael Gelardi and Phil Grillo, 1300 SW 5<sup>th</sup> Ave, Ste 2300, Portland, OR 97201; Sid Friedman, PO Box 1083, McMinnville; Ernie Munch, 111 SW Oak St, Portland, OR; Angel Aguiar, 705 SE Neck Rd, Dayton.

Commissioner Stern called the meeting to order at 9:00 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. **AGENDA:**

Personnel

1. **B. O. 11-720** - Consideration of the change of status of Jesse Beaudry to Corrections Deputy in the Jail, regular full-time, Range 12, Step 1, retroactive to October 24, 2011.

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

2. **B. O. 11-721** - Consideration of the change of status of Elsa Pantoja to Office Specialist 2 in HHS Adult Mental Health, regular full-time, Range 7, Step 3, effective November 24, 2011.

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

Contracts/Grants

3. **B. O. 11-722** - Consideration of establishing a process for HHS Family & Youth to expend funds from the local Commission on Children and Families for a Mentoring HUB

Program.

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

4. **B. O. 11-723** - Consideration of approval of Modification #6 to Attachment T of an agreement between HHS Public Health and Mid-Valley Behavioral Care Network for the Strengthening Families parenting program, \$31,322, retroactive to July 1, 2011, through June 30, 2012.

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

5. **B. O. 11-724** - Consideration of approval of an agreement between HHS Adult Mental Health and Community Counseling Solutions, Inc., provider, for warmline mental health services training, not to exceed \$10,600, retroactive to November 1, 2011, through June 30, 2012.

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

6. **B. O. 11-725** - Consideration of ratification of Grant Agreement #BJ/DC-2011-YamhillCo-00009 between HHS Chemical Dependency, grantee, and Oregon Criminal Justice Commission for the Family Drug Court, \$115,889, retroactive to October 1, 2011, through June 30, 2013.

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

7. Consideration of authorizing HHS Public Health to apply for three mini-grants from Oregon Health Authority:

- a. **B. O. 11-726** - Promotores for Community Preparedness, \$10,714;
- b. **B. O. 11-727** - Yamhill County Continuity of Operations (COOP), \$26,926;
- c. **B. O. 11-728** - Engaging Vulnerable Populations for Community Resiliency, \$17,321.

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

8. **B. O. 11-729** - Consideration of ratification of Grant Agreement #GRNT0697 between the Juvenile Department, grantee, and Oregon Youth Conservation Corps for the 2011 Summer Conservation Corps Grant Program, \$11,111, retroactive to June 1, 2011, through October 31, 2011.

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

9. **B. O. 11-730** - Consideration of ratification of an agreement between the Juvenile Department, provider, and Crook County for housing of juvenile offenders in the 30-day bed program, \$135 per bed per day, retroactive to November 15, 2011, through June 30, 2012.

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

Budget

10. **B. O. 11-731** - Consideration of approval of a transfer of appropriation authority in the amount of \$90,000 from the Fair Improvements account to an internal transfer account for the paving project at the fairgrounds, and increasing Public Works revenue lines by the same amount.

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

C. **OLD BUSINESS:** None.

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

1. **B. O. 11-732** - Consideration of the employment of Charles Price as Human Services Tech in HHS Abacus, temporary part-time, Range 11, Step 1, effective November 28, 2011, through June 30, 2012.

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

2. **B. O. 11-733** - Consideration of approval of Modification #2 to a contract employee agreement between HHS Adult Mental Health and Torena Cole for psychiatric nurse services.

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

3. Consideration of accepting the following quotes for a door project in the jail:  
a. **B. O. 11-734** - Tri-Star Detention, Inc., lock kits and door, \$9935;  
b. **B. O. 11-735** - DND Security & Communications, cameras, intercoms, and software upgrades, \$8874.

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

4. **B. O. 11-736** - Consideration of approval of Amendment #1 to an agreement between the Jail and Aramark Correctional Services, LLC, provider, for commissary services, effective November 22, 2011.

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

The meeting recessed at 9:25 a.m. and reconvened at 9:51 a.m.

5. **B. O. 11-737** - Consideration of the employment of Celina Lozano as Extra Help in HHS Public Health, temporary part-time, Range 4, Step 2, retroactive to November 9, 2011, through June 30, 2012.

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

E. **PUBLIC HEARINGS:**

1. Consideration of Planning Docket C-15-11/SDR-14-11(KF), a request for a winery with 44 events and limited food service, applicant Ernest Munch representing Stoller Vineyards, appellants Gladharts and Friends of Yamhill County, as continued from November 10, 2011, at the point of Deliberation. *[Tentatively approved, findings to be adopted December 12, 2011, at 2:00 p.m.]*

Ms. Stern opened the public hearing. Ken Friday reviewed the additional condition that he had recommended on November 10, and requested that the last sentence be eliminated because Condition #17 already includes a process to revoke the permit approval if any of the conditions are violated. Mike Brandt agreed that the language shouldn't be included twice.

Deliberation - Ms. Stern stated that although much has been said about the generosity of the Stollers, philanthropy is not a criteria for approval. She said that the county's approval criteria was acknowledged by DLCD in the Sandy case and the conditional use process was held up as an example to other counties, so it is disingenuous for DLCD to now say that the process is wrong. She stated that this request is clearly not for a rural restaurant and event center, and every farmer has the opportunity to request the conditional use process. She said that Mr. Stoller has moved his processes into the surrounding small cities, and there will not be a chef on staff at the winery, so small businesses will benefit from the operation. She added that many local businesses have submitted letters of support.

She explained that county staff investigates legitimate complaints about conditional use permits, and there have been instances where enforcement action was taken. She said that the suggested conditions are clear and enforceable. She stated that it is clearly within the Board's authority under state law to approve the application, and the county has been encouraging wineries to use this process so that conditions can be put into place.

Ms. Stern moved tentative approval of Planning Docket C-15-11/SDR-14-11, with findings to be adopted December 12, 2011, at 2:00 p.m.

Ms. Lewis stated that much has changed since the zoning ordinance was updated in 1994, and more and more people in agriculture are being encouraged by Oregon Department of Agriculture to get into value-added types of businesses. She said that in order to preserve farmland, farmers need to be able to make a profit, and these types of commercial activities in conjunction with farm use could be of value for all agriculture, not just the wine industry. She said that is important, however, to adhere to the strict standards that are imposed on other types

of agriculture. She stated that the Stollers are already doing 37 events per year and don't come close to the 25% limit for income ratio, but that can be monitored closely with the required annual report. She said that there have been no conflicts with the existing events, so increasing that to 44 shouldn't create any conflicts.

Ms. George stated that tourism has been chosen as one of the primary sources of income and growth in Oregon, particularly in this area, and limiting tourism to the towns would be cutting off a lot of potential growth. She pointed out that visitors to the rural areas will also spend money in the towns. She said that the conditional use process is open to everybody and allows the Board to look at the facts, determine what is appropriate, and place conditions to ensure that things are done properly.

The motion for tentative approval passed, Commissioners Stern, Lewis, and George voting aye.

**F. ANNOUNCEMENTS:**

1. The following positions are open to the public. Contact the Commissioners' Office for applications.
  - a. Local Investment Advisory Committee, one position;
  - b. Housing Authority Board, one position for a five-year term, applications accepted through November 23, 2011 (see county website for additional information);
  - c. Parks & Recreation Board, two positions;
  - d. Special Transportation Advisory Commission (STF), two positions;
  - e. Yamhill County Transit Area (YCTA) Advisory Committee, one position.

The meeting adjourned at 10:17 a.m.

Anne Britt  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

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Chair MARY P. STERN

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Commissioner LESLIE LEWIS

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Commissioner KATHY GEORGE