

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 19, 2012, at 10:00 a.m. in Room 32 of the Courthouse, Commissioners Leslie Lewis, Kathy George, and Mary P. Stern being present.

Also present were Laura Tschabold, County Administrator; Rick Sanai, County Counsel; Christian Boenisch, Deputy County Counsel; Pat Anderson, Human Resources; Bill Gille, County Engineer; Sherrie Mathison, Solid Waste Coordinator; Ossie Bladine, News-Register; Denise Bacon, candidate for commissioner, Scott Cinatl, Linfield student; Gerry Koschal; Julia Staigers; and Jason Willoughby, 640 NW Brookview Ct, McMinnville.

Commissioner Lewis called the meeting to order at 10:01 a.m.

SPECIAL PRESENTATION: Presentation to Gerard Koschal in recognition of his 23 years of service to the Solid Waste Advisory Committee.

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.

Jason Willoughby, pastor at Bethel Baptist Church, stated that churches all over the Willamette Valley are starting to unite in more prayerful and practical ways, and are forming strategic partnerships with government agencies to serve the communities. He said that he would love to talk with each of the commissioners to hear about needs and opportunities in the county and then take that information back to the church for discussion. Ms. George expressed appreciation for all that the faith community does and stated that she looks forward to opportunities for partnership.

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

Personnel

1. **B. O. 12-197** - Approve the employment of the following individuals as HS Specialist 1 in HHS Developmental Disabilities, regular full-time, effective April 24, 2012:

- a. Christopher Fuchs, Range 17, Step 2;
- b. Stacey Gunther, Range 17, Step 1.

Committees

2. **B. O. 12-198** - Approve the appointment of Zachary Geary to the Parks & Recreation Board for a four-year term to expire April 19, 2016.

C. **OLD BUSINESS:** None.

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

1. **B. O. 12-199** - Consideration of the employment of the following individuals in Health & Human Services:

a. Kristen Robbel, Office Specialist 2 in Public Health, temporary full-time, Range 7, Step 1, retroactive to April 18, 2012, through June 30, 2012;

b. Stacy Lorette, Program Supervisor in Public Health, temporary part-time, Range 19, Step 1, effective April 19, 2012, through June 30, 2012;

c. Katie Briedwell, Senior Accounting Clerk in Central Administration, temporary part-time, Range 12, Step 3, effective April 19, 2012, through September 30, 2012.

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

2. **B. O. 12-200** - Consideration of approval of the 2012 Maintenance Improvement Projects (MIP) List.

Bill Gille reviewed the list and stated that the amount budgeted for MIP will probably be used up by the Basic Projects portion of the list, but two alternate projects have been included in case there are extra funds. He said that Oregon law allows for a 10% increase or decrease in the approved projects without having to re-bid. Ms. Lewis moved approval of item D(2). The motion passed, Commissioners Lewis, George, and Stern voting aye.

3. **B. O. 12-201** - Consideration of filing a cost bill with the Land Use Board of Appeals (LUBA) to recover a portion of the county's cost in preparing the record for *Waste Not v. Yamhill County*, up to the amount of deposit paid by the appellants (\$150).

Rick Sanai provided background information, explaining that the record was well in excess of 3000 pages and the cost of preparing four copies was more than \$3000. He stated that LUBA allows the local prevailing government to recover up to the amount deposited by the appellants, which in this case was \$150, and Ms. George had asked him to raise the issue with the Board. He said that the cost bill would have to be filed today. Ms. Stern recused herself due to an actual conflict of interest because of her husband's employment with the parent company of Riverbend Landfill, another party to the litigation.

Ms. George stated that it is important for the sake of precedent to recover as much as possible, since the costs are borne by the citizens of Yamhill County and the deposit has already been made by Waste Not of Yamhill County. Ms. Lewis stated that she had initially been concerned about doing this because a number of citizens were also appellants in this case and she doesn't want to deter the public from appealing legislative amendments, but after learning that the

maximum amount that can be recovered is only \$150, and that has already been paid by Waste Not, she supports the action. She explained that the appellants asked for a lot of information to be put into the record, which drove up the cost, and it is difficult to believe that it is legitimate for the rest of the taxpayers to bear that cost.

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

E. PUBLIC HEARINGS:

1. Consideration of Planning Docket PAZ-01-10/WRG-01-10(KF), zone change portion of a request for plan amendment/zone change from EF-80 Exclusive Farm Use to MR-2 Mineral Resource on approximately 224 acres, applicant Baker Rock Resources, as continued from March 15, 2012, at the point of Staff Recommendation. *[Continued to May 17, 2012, 10:30 a.m., at the point of Staff Recommendation.]*

Ms. Lewis stated that the Court of Appeals has issued a ruling on the case, but the commissioners each need time to review the record. Ms. Stern moved to continue the hearing to May 17, 2012, at 10:30 a.m. The motion passed, Commissioners Lewis, George, and Stern voting aye.

F. ANNOUNCEMENTS:

1. The following positions are open to the public. Contact the Commissioners' Office for applications.
- a. Fair Board, one position;
 - b. Forestland Classification Committee, three positions;
 - c. Local Investment Advisory Committee, one position;
 - d. Parks & Recreation Board, one position;
 - e. Road Improvement Advisory Committee, one position;
 - f. Special Transportation Advisory Commission (STF), four positions;
 - g. Yamhill County Transit Area (YCTA) Advisory Committee, one position.

The meeting adjourned at 10:26 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair LESLIE LEWIS

Commissioner KATHY GEORGE

Commissioner MARY P. STERN