

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 March 28, 2013, at 10:00 a.m. in Room 32 of the Courthouse, Commissioners Kathy George, Mary P. Stern, and Allen Springer being present.

Also present were Laura Tschabold, County Administrator; Christian Boenisch, Deputy County Counsel; Ken Huffer, Parks Coordinator; Mike Brandt, Planning Director; Sherrie Mathison, Solid Waste Coordinator; Mike Kemper, Code Enforcement Officer; Nathalie Hardy, News-Register; Renee Zipser-Luckart, 13250 Oak Rd NW, Salem 97304; Earl Lawson; and Ron Coxson, 1311 SW Brown St, Dallas.

Commissioner George called the meeting to order at 10:00 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.

Renee Zipser-Luckart requested that the commissioners reconsider the limit established in the county’s Dog Control Ordinance for the number of dogs on rural properties, and allow people to have more than five dogs if they are spayed or neutered. She explained that the Planning Department had previously granted permission for the eight dogs she had at the time, although the approval letter did note that she also had to comply with the ordinance. She stated that she was unaware of that condition until recently because she wasn’t sent a copy of the letter, but she is now back in compliance. She said that she has a new puppy, however, that would put her over the limit again, so she needs to resolve the issue by the time the puppy is six months old on May 11.

Ms. Stern stated that Rick Sanai is working on updating the ordinance anyway. She agreed to talk with Dog Control and Planning staff and get back to Ms. Zipser-Luckart.

B. **CONSENT AGENDA:** Mr. Springer moved approval of the consent agenda with the exception of item B(2). The motion passed, Commissioners George, Stern, and Springer voting aye.

Personnel

1. **B. O. 13-165** - Approve the change of status of the following employees in Juvenile Corrections, effective April 9, 2013:

- a. Tina Trenholm, Juvenile Corrections Specialist, regular full-time;
- b. Andrew Barlow, Juvenile Corrections Technician, regular part-time, .48 FTE;
- c. Brandy Brockway, Juvenile Corrections Technician, regular part-time, .4 FTE.

2. **See Other Business** - Approve the transfer of the Surveyor's Office staff and office location to the Planning Department and accept the staffing recommendations as presented by Mike Brandt.

Contracts/Grants

3. **B. O. 13-166** - Authorize the following vehicle expenditures by Public Works, to be paid from the Replacement Fund budget line 045-029-802.02, for a total of \$157,832:
 - a. Purchase of three Ford Fusions from Colvin Ford, McMinnville, for \$19,224 each; rescind approval of the initial quote from Landmark Ford, which expired;
 - b. Optional factory equipment, "Police Patrol Package #1," to be added to the purchase of four 2013 Dodge Charger Police Interceptors (approved by B.O. 13-136) at an additional charge of \$3687 per unit, for a total unit cost of \$25,040.
4. **B. O. 13-167** - Authorize payment to Northwest Pump and Equipment for the Public Works above-ground fuel storage tank project, amending Board Order 12-292 to recognize the adjusted procurement costs for the tank and additional equipment (\$1481) and delivery (\$4250) for a total amount of \$100,731.
5. **B. O. 13-168** - Approve a Grant Agreement between Yamhill County/Yamhill County Transit Area, grantee, and the Oregon Arts Commission, based on application number FY13-ABC-11718, in the amount of \$3600; authorize Tonya Saunders, Transit Coordinator, to act in connection with the application.
6. **B. O. 13-169** - Approve Intergovernmental Agreement #4400000435 between Health & Human Services Public Health, provider, and Multnomah County for Ryan White HIV/AIDS treatment services, \$36,106, retroactive to March 1, 2013, through February 28, 2014.

Fees

7. **B. O. 13-170** - Adopt the "Blue Sign Fees" schedule for signs and services provided by the Public Works Department, effective March 30, 2013.

Road Vacation

8. **B. O. 13-171** - Approve Public Works Docket RV-1-2013, road vacation request by James L. Fisher, Jr., and Jacqui L. Fisher for a portion of Dillon Road, as signed by 100% of affected property owners, no public hearing required per ORS 368.351.

Budget

9. **B. O. 13-172** - Authorize the transfer of up to \$25,000 from Contingency to Non-Departmental for the cost of an appraisal of 17 miles of Union Pacific right-of-way known as the "Yamhelas Westsider Trail."

Committees

10. **B. O. 13-173** - Appoint Jan Cain, Family & Youth Program, to serve as a non-bargaining member on the Employee Safety Advisory Committee for a three-year term to expire on March 18, 2016.

11. Acknowledge the resignation of Brendon Connelly from the Parks & Recreation Board.
[Acknowledged.]

C. **OLD BUSINESS:** None.

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

1. **B. O. 13-174** - Approve the transfer of the Surveyor's Office staff and office location to the Planning Department and accept the staffing recommendations as presented by Mike Brandt, with Rick Sanai to check on statutory requirements.

Mike Brandt discussed the recommendations made by Matt Dunckel, which include hiring a surveyor at less than .5 FTE and keeping Marty Glass on staff to handle all other duties. He said that there isn't much activity that would require a County Surveyor at this time, perhaps even less than .1 FTE. He stated that Bill Gille, County Engineer, could fill that function as Deputy County Surveyor, with his salary adjusted appropriately, and John Phelan would be fine with that as long as it was limited to .1 FTE. He stated that if he were to oversee the Surveyor's Office, he would prefer staff to be located in his building, which he has room for. He recommended approval of Mr. Dunckel's recommendations.

Ms. Stern stated that she would like to discuss the statutory requirements with Rick Sanai. She said that it would be good for Mr. Gille and/or Mr. Brandt to track the number of plats signed and the number of hours spent by the surveyor. Mr. Springer stated that he supports the idea of saving a full position, and the Board has the flexibility to change direction later on.

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

2. **B. O. 13-175** - Consideration of submitting an Initial Donation Approval Form to Oregon Department of Transportation (ODOT) documenting the donation of two properties by Carlton 2007, LLC, as a portion of the match requirement for the Yamhelas Westsider Trail Project.

Mr. Springer moved approval of item D(2). The motion passed, Commissioners George, Stern, and Springer voting aye. Laura Tschabold stated that ODOT would be involved in the grant award in some way, but she doesn't yet know what that means. She said that once the appraisals are completed, if the donation value is less than what was estimated, the county would have to make up the difference.

3. **B. O. 13-176** - Consideration of authorizing the Parks Division to apply for a facilities grant from Oregon State Marine Board to replace the boarding floats at Rogers Landing boat launch, \$255,400, with a \$25,000 match requirement.

Ken Huffer stated that the current boarding floats, which were installed in 2002, were built with untreated lumber due to budget and time constraints, and they are now rotting out. He said that the new aluminum-frame design has a life span of 25 to 30 years, and would be installed in sections in September after peak boating season. He stated that he does not have funds in his budget for the match requirement, and cannot use System Development Charges for maintenance projects. Ms. Tschabold said that she would include the match amount on the list of budget deliberations, since it wouldn't be needed until the next fiscal year.

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

E. PUBLIC HEARINGS:

1. Consideration of Code Enforcement Case #I-048-10, Earl Lawson, as continued from February 21, 2013. *[Continued to June 20, 2013.]*

Mike Kemper stated that he had made a site inspection the previous day and could see that Mr. Lawson has made some progress, but there is still quite a bit of work left to do. He agreed to provide another list of items to be completed. He said that he hasn't heard anything regarding the mobile home that the county considers to be solid waste.

Mr. Lawson submitted reports from an electrical contractor and general contractor regarding the viability of the mobile home. He said that he would like to rehabilitate the mobile home and keep it on the property. Ron Coxson, contractor, stated that he had looked at the unit and spoken with a state building code inspector, and it would be possible to bring the mobile home up to code, although it would need a lot of work. He said that he does not have a contract with Mr. Lawson to perform the work or an estimate of the cost. Mr. Springer stated that anything can be rebuilt, but the question is whether it makes economic sense and if it would ever get done.

Mr. Kemper stated that the mobile home was placed on the property in 1991 with a temporary storage permit, which has long since expired, and the property is only authorized for one residence. Mr. Lawson said that his long-term plans have always been to use the mobile home for his residence and convert the existing house into a support building for the nursery. He provided in-depth background information about driveway and septic issues and other obstacles to his plans. Mr. Kemper stated that no application has been filed for the land use action that would be necessary to convert the house to an office.

Mr. Springer said that 90 days would be enough time for Mr. Lawson to complete the next list and to find out if such a permit could be allowed, and he would like to see either that or action to remove the mobile home from the property. He moved to continue the hearing to June 20, 2013. The motion passed, Commissioners George, Stern, and Springer voting aye.

F. ANNOUNCEMENTS:

For information on county advisory committee vacancies, please refer to our website, www.co.yamhill.or.us, or call the Board of Commissioners' office: 503-434-7501 (from McMinnville) or 503-554-7801 (toll-free from Newberg).

The meeting adjourned at 11:10 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair KATHY GEORGE

Commissioner MARY P. STERN

Commissioner ALLEN SPRINGER