

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 May 28, 2015, at 10:00 a.m. in Room 32 of the courthouse, Commissioners Mary Starrett and Stan Primozich being present; Commissioner Allen Springer being excused.

Also present were Laura Tschabold, County Administrator; Chuck Vesper, Deputy County Administrator; Christian Boenisch, County Counsel; Todd Sadlo, Senior Assistant County Counsel; Catherine Lindberg, Public Works; Don Iler, News-Register; Mike Blailock 8775 NE Sunset Knoll, Yamhill; Dan Hilbert 875 NE19th St., McMinnville; Steve Keith 27610 SW Garland Rd.; Timothy Porter 824 NE Ashley Ct., McMinnville; Peter Nairn 219 SW 3rd St., Dundee; Edward Wiggins 825 NE 12th, McMinnville; and others as listed on the attached attendance roll.

Commissioner Starrett called the meeting to order at 10:05 a.m. The invocation was offered by Robyn Miguel.

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.

Mike Blailock stated that he believes invocation is divisive for the community perceived as only “one way” and that if someone from a different religious belief came to their meetings, they would feel less than them. He asked the board for an opportunity to give a secular humanist invocation in the future.

Dan Hilbert stated that he agrees with Mr. Blailock in that opening public government meetings with prayer is divisive and asked the commissioners to drop the pledge and expressed that there is no flag large enough to cover up all the atrocities and human sufferings that the government has been committing for the last several years.

B. **AGENDA:**
Contracts/Grants

1. **B.O. 15-142** - Consideration of approval of an agreement between Yamhill County and Sea Reach Ltd. for the construction of two tourist and business-oriented directional sign kiosks and two additional panels for existing kiosks, total amount of \$18,928.

Commissioner Primozich moved approval of item B(1). The motion passed, Commissioners Starrett and Primozich voting aye.

2. **B.O. 15-143** - Consideration of the approval of an agreement between the Yamhill County Department of Planning and Development and James C. Lund to provide electrical inspection services.

Commissioner Primozich moved approval of item B(2). After brief discussion, Ms. Starrett moved approval with the proviso that the agreement be reviewed and subject to the approval of County Counsel. The motion passed, Commissioners Starrett and Primozich voting aye.

3. **B.O. 15-144** - Consideration of the approval of an agreement between HHS Family & Youth Division and Amity School District to provide behavioral health counseling services, total not-to-exceed amount of \$38,499.48, effective August 27, 2015 through June 17, 2016.

Commissioner Starrett moved approval of item B(3). The motion passed, Commissioners Starrett and Primozich voting aye.

4. **B.O. 15-145** - Consideration of the approval of an agreement between HHS Family & Youth Division and Dayton School District to provide behavioral health counseling services, total not-to-exceed amount of \$38,499.48, effective August 27, 2015 through June 21, 2016.

Commissioner Starrett moved approval of item B(4). The motion passed, Commissioners Starrett and Primozich voting aye.

5. **B.O. 15-146** - Consideration of approval of Agreement #148178 between Yamhill County Public Health Division and Oregon Health Authority to provide environmental health services, total not-to-exceed amount of \$31,198.

Commissioner Starrett moved approval of item B(5). The motion passed, Commissioners Starrett and Primozich voting aye.

6. **B.O. 15-147** - Consideration of approval of an agreement between the Sheriff's Office and the City of Willamina to provide police services, effective July 1, 2015 through June 30, 2016, total amount of \$188,314.48.

Commissioner Primozich moved approval of item B(6). The motion passed, Commissioners Starrett and Primozich voting aye.

7. **B.O. 15-148** - Consideration of approval of an agreement between the Sheriff's Office and the City of Lafayette to provide police services, effective July 1, 2015 through June 30, 2016, total amount of \$251,200.

Commissioner Primozich moved approval of item B(7). The motion passed, Commissioners Starrett and Primozich voting aye.

8. **B.O. 15-149** - Consideration of approval of the All-Terrain Vehicle (ATV) Grant agreement between the Sheriff's Office and Oregon Parks & Recreation to provide patrol presence in upper Nestucca OHV area, effective July 1, 2015 through June 30, 2017, total amount of \$192,196.

Commissioner Primozich moved approval of item B(8). The motion passed, Commissioners Starrett and Primozich voting aye.

9. **B.O. 15-150** - Consideration of approval of a mutual aid agreement between Yamhill County law enforcement agencies and the Confederated Tribes of Grand Ronde to maintain and/or operate law enforcement services.

Commissioner Primozich moved approval of item B(10). The motion passed, Commissioners Starrett and Primozich voting aye.

10. **B.O. 15-151** - Consideration of approval of an intergovernmental agreement between the Sheriff's Office and Benton County Sheriff's Office for the housing of Benton County inmates in Yamhill County Corrections Facility (YCCF), effective July 1, 2015 through June 30, 2016.

Commissioner Primozich moved approval of item B(10). The motion passed, Commissioners Starrett and Primozich voting aye.

Fees

11. **B.O. 15-152** - Consideration of approval of the following rate increases for Recology Western Oregon and Riverbend Landfill and Recycling Center:
- a. .90% CPI increase for Recology Western Oregon
 - b. .60% CPI increased for Riverbend Landfill and Recycling Center.

Commissioner Primozich moved approval of item B(11). The motion passed, Commissioners Starrett and Primozich voting aye.

C. **OLD BUSINESS:** None.

D. **OTHER BUSINESS** (Add-ons and non-consent items): None.

E. **PUBLIC HEARINGS:**

1. In the matter of an order updating the county ban on smoking in all county buildings used to transact county or public business, to ban the use of E-Cigarettes.
[Discussion continued to 10:00 a.m., June 4th, 2015.]

Ms. Starrett opened the public hearing at 10:21 p.m.

Christian Boenisch explained that County Counsel was approached by the courts and expressed an interest in the county considering expanding the existing ban on the use of e-cigarettes in county buildings including the courthouse. He added that a board order has been prepared so that if following today's discussion the board decides to move forward, deliberation will be continued to next week to allow Commissioner Springer to review the record and give him an opportunity to vote.

Proponents - Steve Keith stated that e-cigarettes are not a tobacco product because it doesn't produce smoke adding that it's similar to a nebulizer as used in hospitals. He explained that e-cigarettes have helped him and his wife to quit smoking and slowed down the process of a bone disease he developed from smoking and chewing tobacco.

Timothy Porter, owner of Saver-E-Smoke Vape Shop in McMinnville stated that banning e-cigarettes will only deter people from a safer alternative. He shared his experiences with smoking vs. e-cigarettes and expressed how much e-cigarettes have helped him, his family and many of his customers.

Peter Nairn stated that e-cigarettes have helped him quit smoking and proud to be 171 days without cigarettes.

Edward Wiggins said he has helped Peter, Steve and Ryan, along with countless other people to quit smoking with the help of e-cigarettes. He stated he gave up his career to continue to help others quit smoking. He provided the commissioners with a link: <https://www.youtube.com/watch?v=YmPL0ldKoz4> , to get more facts about nicotine.

Ryan Hilger stated that he is a recovering drug addict and e-cigarettes have helped him as well as his friends in the NEwberg community and announced that he is 93-days sober.

Mr. Boenisch added that the board order would not ban the use of e-cigarettes on public property or county property. It would only apply to buildings that are owned by the county and within county buildings. Commissioner Starrett closed the public hearing and said that deliberations will take place next week, Thursday, June 4, 2015, to allow Commissioner Springer to review the record and allow him to vote.

F. **ANNOUNCEMENTS:**

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

2. Special Formal Session on May 29th, 2015 at 11:00 a.m. in the Commissioners' Office conference room to consider the following Riverbend Landfill public hearing and formal session minutes from:
 - a. March 12, 2015;
 - b. March 26, 2015;
 - c. April 2, 2015;
 - d. April 16, 2015; and
 - e. April 23, 2015.

The meeting adjourned at 10:40 a.m.

Lucy Flores Mendez
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair ALLEN SPRINGER

Commissioner MARY STARRETT

Commissioner STAN PRIMOZICH



BOARD OF COUNTY COMMISSIONERS

Attendance Roll for meeting records

Meeting: Informal _____ Formal Work Session _____ Date May 28th, 2015

PLEASE PRINT

Name

PLEASE PRINT

Complete Address

PLEASE PRINT

Subject

Mike Kneetz	OSU Extension	
Helle Ruddenklau	12500 SW Salt Crk Rd, Astoria, OR 97101	
Sally Wyffels	3765 NE Hawn Cr Rd, McMinnville, OR 97128	
Bryan Stewart	1601A Deborah Rd Newberg, OR 97132	
Derek Cochran	OSU Extension Service	Budget
MIKE Black	8775 NE Sunset Knoll Dr, Yamhill, 97148	
DAN HILBERT	875 NE 19 th St	McMinnville
DAVID LARMOVA	1850 NE LAFAYETTE AVE.	RECOLOGY
JACKIE LANG	13169 SW Hwy 18 - MAC	Waste Management
Barry Lilly	629 NW Jason Ct. MAC	
ROBIN MIGUEL	730 N. NOWE CARLTON	97111
Edward Wiggins	825 NE 12 th St McMinnville	
Ryan Hilyer	1306 Foothills Dr. Newberg	
Peter Nairn	2195 W. 3 rd St Dundee	
Timothy Postler	824 NE Ashby Ct McMinnville	
Fred Stenuber	1850 Lafayette Avenue	Recology
Steve Keith	27610 SW Garland Rd	E. Cigs