

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 June 25, 2015, at 10:00 a.m. in Room 32 of the courthouse, Commissioners Allen Springer, Mary Starrett and Stan Primozych being present.

Also present were Laura Tschabold, County Administrator; Chuck Vesper, Deputy County Administrator; Christian Boenisch, County Counsel; Todd Sadlo, Senior Assistant County Counsel; Desiree Lundeen, County Counsel staff; Ken Friday, Planning Division Manager; Nicole Montesano, News-Register; Barry Lilly 629 NW Jason Ct., McMinnville; Mike Blailock, 8775 NE Sunset Knoll, Yamhill; Dan Hilbert, 875 NE19th St., McMinnville; Jerry Moen 700 NW Hill Rd., McMinnville; Al LeMay, 718 SW Tera Dr., McMinnville; Keri Springer 1910 Springer Ct., McMinnville; Avon Rock 400 Ferry St., Dayton; Jim Jacks 100 High St. SE, Salem; Marian Chasse 196 W 15<sup>th</sup>, Lafayette; Doreen Van Tune 351 E 7<sup>th</sup> St., Lafayette; Angela Flood 287 Canyon View Dr., Lafayette; Carol Paddock 5001 NE Mineral Springs Rd., McMinnville; and Monty Hurley 16350 NW Belt Rd., Yamhill.

Commissioner Springer called the meeting to order at 10:00 a.m. The invocation was offered by Jerry Moen.

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 is against religious invocations at any government meetings or proceedings because it is divisive. He added that although Christians make up 61% of Yamhill County- 31% are unaffiliated; 5% atheists, 8% agnostic, 18% nothing in particular, and 1% don't know. He asked the commissioners to discontinue the injection of religion into our government and focus on issues in the real world that are all of our concerns.

Dan Hilbert discussed the achievement of Anne Nicol Gaylor, co-founder of the Freedom from Religion Foundation. He asked commissioners to stop imposing prayer.

Jerry Moen stated that he strongly disagrees with Mike and Dan and stressed that painful things must have happened to some people in our county who don't embrace prayer but that the vast majority of people in America do, embrace prayer. He expressed that he is confident that the nation was founded based on biblical and godly principles adding that our founding fathers

started this country with prayer before all of their sessions and till this day, in Washington D.C., public government proceedings begin with prayer. He stated he applauds the commissioners for following the footsteps of wise and godly people and for being willing to do what they believe is right by following the example that's been set by other political leaders.

- B. **CONSENT AGENDA:** Commissioner Primozych moved approval of the consent agenda B(1) through B(12) with removal of item B(10) for further discussion. The motion passed, Commissioners Springer, Starrett and Primozych voting aye.

Personnel

1. **B.O. 15-195** - Authorize additional leave without pay for Terri Koenig, HHS Community Support Specialist, effective June 13, 2015 through June 24, 2015.

Contracts/Grants

2. **B.O. 15-196** - Approve a lease agreement between Health & Human Services and Troy and Dana Haworth, rent amount of \$5,500 per month, effective upon completion of construction for 5 years ending June 30, 2020.
3. **B.O. 15-197** - Approve Amendment #21 to Agreement #141431 between Yamhill County and the Oregon Health Authority for Financing of Community Addictions and Mental Health Services, adding \$105,171 in funding for the Older Adult Behavioral Health Coordinator position and \$739.70 in funding for one Psychiatric Security Review Board (PSRB) client.
4. **B.O. 15-198** - Approve an intergovernmental agreement between Yamhill County and Washington County for the Cities Readiness Initiative (CRI) program, total amount of \$22,159, effective July 1, 2015 through June 30, 2016.
5. Approve the following Service Element Prior Authorization (SEPA) Approval Units for Agreement #134297/142149 between HHS Developmental Disabilities and Oregon Department of Human Services:
- a. **B.O. 15-199** - Approval Unit #2163743, \$274,103; and
- b. **B.O. 15-200** - Approval Unit #3310703, \$70,548.
6. **B.O. 15-201** - Approve Amendment #2 to an agreement between Yamhill County and the Oregon Department of Transportation (ODOT) for the extension of lease for the Chehalem Communications Site, rent amount of \$4,425.30 per year, effective through June 30, 2020.
7. **B.O. 15-202** - Approve an Intergovernmental Agreement between Yamhill County and Yamhill Communications Agency (YCOM) for the maintenance and upkeep of the public safety radio system.

8. **B.O. 15-203** - Approve an Intergovernmental Agreement between Yamhill County and the Community Service Center (CSC) to provide planning consultation for development of the Whiteson Property, total amount of \$23,525, effective July 2015 through July 2016.
9. **B.O. 15-204** - Approve an agreement between the Department of Community Justice and Fieldware, LLC for automatic court notification services, effective July 1, 2015.

Fees

10. **B.O. 15-205** - Approve the following 2015-16 fee schedules for Health & Human Services, effective July 1, 2015:
  - a. Adult Behavioral Health Usual and Customary Rates;
  - b. Public Health Rates;
  - c. Environmental Health Fees

Ms. Tschabold explained that there was a slight change to the fee schedule due to a market adjustment rate being made on the physician medication management rate so that the true cost of physician fees are being represented. She added that the physician rate has been changed from \$258 to \$263 per hour. Commissioner Starrett moved approval of item B(10). The motion passed, Commissioners Springer, Starrett and Primozych voting aye.

Plans

11. **B.O. 15-206** - Approve the revised County Emergency Operations Plan.

Budget

12. **B.O. 15-207** - Approve Resolution 15-6-25-1 adopting the Yamhill County budget for fiscal year 2015-16 in the amount of \$119,718,066, setting appropriations in the amount of 105,414,492 and levying taxes at the rate of \$2.5775 per \$1,000 assessed value.

C. **OLD BUSINESS:** None.

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

1. **B.O. 15-208** - Consideration of authorizing a contribution of \$1,500 to the McMinnville Chamber of Commerce from the Economic Development Fund for the 4<sup>th</sup> of July Celebration.

Commissioner Springer moved approval of item D(1). Mr. Springer explained that McMinnville is re-engaging in the fireworks show at the Evergreen museum with free admission to all comers as part of the 4<sup>th</sup> of July celebration. He added that it's a great way of promoting the museum as it's a great asset to Yamhill County and economic development. Commissioner Primozych and Starrett agreed that this event will advance economic development for the county and bring unity in the community. The motion passed, Commissioners Springer, Starrett and Primozych voting aye.

2. **B.O. 15-209** - Consideration of approval of a change order for the Abbey/Kuehne/Hendricks intersection construction, total amount of \$56,540.

Commissioner Primozich moved approval of item D(2). He explained that this was an unexpected change that needs to happen in order to complete the project. The motion passed, Commissioners Springer, Starrett and Primozich voting aye.

3. **B.O. 15-210** - Consideration of approval of a Board Order in the Matter of Affirming Workers' Compensation Coverage for County Volunteers, Effective July 1, 2015.

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

4. **B.O. 15-211** - Consideration of an agreement for professional transit management services with BCB, LLC in the amount of \$84,000, effective July 1, 2015 through June 30, 2016.

Commissioner Primozich moved approval of item D(4). He added that Cynthia has done a great job. Mr. Springer agreed with Commissioner Primozich and added that she's come in so seamlessly and expressed his appreciation for all her work. The motion passed, Commissioners Springer, Starrett and Primozich voting aye.

E. **PUBLIC HEARINGS:**

1. **B.O. 15-212** - PA-02-14, request by the City of Lafayette for approval of a Comprehensive Plan amendment to expand the Lafayette Urban Growth Boundary by 51.29 acres for future residential use.

Mr. Springer opened the public hearing at 10:26 a.m. There were no abstentions or objections to jurisdiction.

Mr. Sadlo read the land use statement regarding the requirement that parties must raise all issues at the public hearing or waive their right to raise the issues on appeal.

Staff Report - Ken Friday provided a briefing on the request. He stated that the original request was for an expansion of 79 acres and was reviewed by the Lafayette Urban Area Management Commission on January 29<sup>th</sup>, 2015 and unanimously recommended approval of that request. She said the City Council then reviewed the application on March 12<sup>th</sup> and based on testimony from county residents, decided to reduce the size of the area down to 51 acres and in May, the city adopted Ordinance 623 with findings to support the amendment.

Proponents - Monty Hurley with AKS Engineering and Forestry, LLC stated he represents Bridge Street Partners, LLC who is one of the property owners in the area affected in the

expansion area. He presented a letter for the record from Mr. David Scott stating his support of the City of Lafayette's request for a comprehensive plan amendment.

Opponents - Carol Paddock stated she lives immediately west of the city limits in the UGB. She presented Avon Rock and said that she and her husband, John Rock, own a piece of property to the north of Ms. Paddock's property in the Walters Estates subdivision. She provided handouts that included maps and discussed the city planner's reasons and her responses for non-inclusion of the Rock's property in the UGB.

Angela Flood stated that she represents League of Oregon Citizens including residents and non-residents within the UGB scope. She explained her involvement in the process and clarified that although she received notification from the city she feels as though the entire process has been dismissive and secretive to the residents who are the most impacted. She expressed her concerns regarding growth population and not having the space to have a bigger reservoir or to build a bigger sewer plant. She asked the commissioners to continue to review the documentation before making any decision.

Public Agency Reports - None.

Jim Jackson, city planner of Lafayette, shared information on the history of the UGB and said the project was initiated two and a half years ago for residential purposes. He stated that there were open houses and public meetings in the community and was unaware of Ms. Paddock's concerns until later in the process. Mr. Jackson addressed concerns from opponents.

Rebuttal - None.

Mr. Springer closed the public hearing at 11:50 for deliberation. Ms. Starrett stated her opposition and said that the Rock property should be given more consideration. Mr. Primozich suggested a survey be done to further understand the process. Commissioner Springer moved approval of the application. The motion passed 2-1, Commissioners Springer and Primozich voting aye; Commissioner Starrett opposed.

**F. ANNOUNCEMENTS:**

1. For information on county advisory committee vacancies, please refer to our website, [www.co.yamhill.or.us/content/volunteer-opportunities](http://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).

The meeting adjourned at 12:00 p.m.

Lucy Flores Mendez  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

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Chair ALLEN SPRINGER

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Commissioner MARY STARRETT

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Commissioner STAN PRIMOZICH