

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 August 6, 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; Desiree Lundeen, County Counsel staff; Sherrie Mathison, Planning Department; Nicole Montesano, News-Register; Barry Lilly 629 NW Jason Ct., McMinnville; Yamhill; Dan Hilbert, 875 NE19th St., McMinnville; Mike Blailock 8775 NE Sunset Knoll, Yamhill; Keri Springer 1910 Springer Ct., McMinnville; Dean Yoder 673 NW Jefferson Way, McMinnville; Bruce Cook 1525 SW Cypress Ln., McMinnville; Steve Caldwell 6495 NW Mineral Springs Rd. Carlton; Kathryn Jernstedt PO Box 911, Carlton; Connie Hutchinson PO Box 489, Yamhill; Ilsa Perse 5765 Mineral Springs Rd., Carlton; Sid Friedman PO Box 1083, McMinnville; Brian Myrica 8795 Mineral Springs Rd., Carlton; and Miguel (Rudy) Garcia Negrete 325 NW Hwy 99W, McMinnville.

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

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 he is against religious invocations at any government meetings because it’s divisive.

Dan Hilbert expressed his opposition against prayer in public meetings.

Dean Yoder thanked the commissioners for their service to the county and appreciates that they focus on the real issues.

Bruce Cook expressed his appreciation for the heart the Commissioners have for Yamhill County.

B. **CONSENT AGENDA:** Commissioner Primozych moved approval of the consent agenda. The motion passed, Commissioners Springer, Starrett and Primozych voting aye.

Contracts/Grants

1. **B.O. 15-302** - Approve Amendment #5 to an agreement between HHS and Yamhill Valley Treatment dba Provoking Hope to provide recovery support services retroactive from July 1, 2015 through June 30, 2016 and add Responsible Dads Program services effective October 1, 2015 through June 30, 2016, total amount of \$346,791.
2. Approve the following amendments between HHS and Virginia Garcia Memorial Health Center (VGMHC):
 - a. **B.O. 15-303** - Amendment #1, for qualified mental health professional contracted services, extends the existing agreement retroactive from July 1, 2015 through July 31, 2016 and changes the rate to \$9,672/month, retroactive from August 1, 2015 through July 31, 2016.
 - b. **B.O. 15-304** - Amendment #2, for Oregon Health Plan contracted services, extends the existing agreement retroactive from July 1, 2015 through July 31, 2016 and changes the rate to \$138,059/quarterly, retroactive from August 1, 2015 through July 31, 2016.
3. **B.O. 15-305** - Approve an agreement between HHS and Community Counseling Solutions, Inc. for Warmline Services Training, total amount of \$32,000, retroactive from July 1, 2015 through June 30, 2016.
4. Approve the following contract amendments for HHS Licensed Medical Providers, effective August 9, 2015:
 - a. **B.O. 15-306** - Jennifer Behnke, PMHNP;
 - b. **B.O. 15-307** - Jeanne Dalton, PMHNP;
 - c. **B.O. 15-308** - Steven Goldsmith, MD;
 - d. **B.O. 15-309** - Karen Peters, PMHNP;
 - e. **B.O. 15-310** - Lisa Rivera, PMHNP;
 - f. **B.O. 15-311** - Shirley Roffe, MD;
 - g. **B.O. 15-312** - Alfredo Soto, MD;
 - h. **B.O. 15-313** - Janelle Werner PMHNP; and
 - i. **B.O. 15-314** - Gayle Woosley, PMHNP.

Committees

5. **B.O. 15-315** - Approve the reappointment of Kathy Tri to the Local Investment Advisory Committee to serve a 3-year term to expire August 6, 2018.

Refunds

6. **B.O. 15-316** - Authorize the Planning Department to refund a total amount of \$1,155 to James and Teresa Brey.

Clerk's Office

7. **B.O. 15-317** - Authorize the Clerk's Office to open an escrow account for Lynda Sparks Productions and Services.

Letters

8. **B.O. 15-318** - Authorize a letter of engagement between Yamhill County and Boldt Carlisle + Smith, LLC, for audit services for the 2014-2015 fiscal year.

Tax Foreclosures

9. **B.O. 15-319** - Designate the News Register as the newspaper of general circulation for publication of the 2015 Tax Foreclosure List.

Policy

10. **B.O. 15-320** - Approve an increase in the investment limit from \$10M to \$12M to the Yamhill County Investment Policy.

C. **OLD BUSINESS:** None.

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

1. **B.O. 15-321** - Consideration of approval of the expenditure of \$120,000 for the Zetron Interface from Silke Communications from "Other Expense" from Fund 38-56 (Landfill License Reserve).

Commissioner Primozych moved approval of item D(1). The motion passed, Commissioners Springer, Starrett and Primozych voting aye.

2. **B.O. 15-322** - Consideration of authorizing the Planning Department to refund a total amount of \$933 to Glenn and Jeri Kindred.

Commissioner Springer moved approval of item D(2). The motion passed, Commissioners Springer, Starrett and Primozych voting aye.

3. **B.O. 15-323** - Consideration of approval of an agreement between Yamhill County and Hahn and Associates Inc. for groundwater monitoring and reporting activities for Whiteson Landfill, total amount of \$84,100, effective the date executed by both parties through December 31, 2017.

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

4. **B.O. 15-324** - Consideration of approval of an agreement between Yamhill County and Hahn and Associates Inc. for environmental monitoring and focused site investigation activities of Newberg Landfill, total amount of \$71,900, effective the date executed by both parties through December 31, 2017.

Commissioner Starrett moved approval of item D(4). The motion passed, Commissioners Springer, Starrett and Primozich.

5. **B.O. 15-325** - Consideration of approval of Amendment #2 to an agreement between Yamhill County and Manatron, Inc. for professional services, estimated cost of \$542,320, effective the date executed by both parties.

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

E. **PUBLIC HEARINGS:**

1. Mass gathering permit application for RBRK Rodeo on August 30th, September 13th and 27th, applicant RBRK Inc. *[No action taken at this time. Continued to August 13, 2015 for further deliberation and final decision.]*

Commissioner Springer opened the public hearing at 10:15 a.m.

Applicant - Brian Myrick described the property used for the RBRK Rodeo event. There was discussion and clarification about music amplification. Christian Boenisch clarified that there is a noise ordinance to where it is limited from the hours of noon to 10:00 p.m. and allowed in 1 of 6 events. Mr. Myrick stated that the speakers have been repositioned in order to contain the noise in their area and plans to have amplifications in two events.

Commissioner Springer asked Mr. Myrick to clarify the source of water used for the event. Mr. Myrick stated that he has access to a rental truck from a farmer that owns a large truck with a 2,500 gallon tank as well as another fully loaded truck on hand in case of an emergency. Commissioner Starrett expressed her concerns and addressed written testimony from the Lafayette Fire Chief and their request for a more detailed map of the area and emergency access plan for the site. She stated that she would like to see something in place where these conditions are monitored as she does not feel that having a truck with 2,500 gallons of water would be sufficient in case of a real fire and the ability for emergency vehicles to get through the narrow roads. She suggested they look into holding the event in a place of infrastructure to support the terms of safety, access and services needed for that many people; possibly at the fairgrounds.

Opponents - Steve Caldwell discussed the order of the application process and concerns that RBRK Inc. will continue to violate the permit and disrespect the county and community. He added that there is a lack of inspection and plan in case of a fire.

Kathryn Jernstedt stated she is representing her mother, Emily Jernstedt and Jernstedt Daughters Farm LLC, in opposition of the application. Their concerns for smokers moving into adjacent areas to smoke if not permitted on the event property and there not being enough water for the fields. She said that the amount of water they plan to supply for 1,000 people and vendors for food handling and animals, is just a drop in the bucket. She added that the family is concerned that the event has vastly outgrown and asked that they look into using the fairgrounds in the future.

Connie Hutchison expressed her opposition to the inappropriate location of event. She provided written testimony for the record; reading some of the concerns such as intrusive noise level, traffic on Mineral Springs Road, liquor consumption and potential fire hazard. She encouraged the board to take the community into consideration and deny the application and/or apply conditions to the application.

The meeting recessed at 11:25 a.m. and reconvened at 11:35 a.m.

Ilsa Perse recapped on a fire from a year ago and stated that the fire burned for a long time before equipment was used to put it out. She argued that permits are being issued for events with not consequences and feels that complaints and comments have no recourse and that is why opponents keep coming back.

Sid Friedman stated he is representing the Friends of Yamhill County and neighbors of Mineral Springs Road. He shared his concerns about fire hazards, parking location and asked the Commissioners to deny the application.

Commissioner Springer closed the public hearing at 12:03 p.m.

Deliberation - Commissioner Springer made a motion to hold the decision to the following week, August 13, 2015. The motion passed, Commissioners Springer, Starrett and Primozych voting aye.

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).

The meeting adjourned at 12:34 p.m.

Lucy Flores Mendez

Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair

ALLEN SPRINGER

Commissioner

MARY STARRETT

Commissioner

STAN PRIMOZICH