

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 October 8, 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, Christian Boenisch, County Counsel; Todd Sadlo, Senior Assistant County Counsel; Desiree Lundeen, County Counsel staff; Debra Bridges, District Attorney’s Office; Ken Friday, Planning Division Manager; John Phelan, Public Works Director; Joe Moore, Facilities Maintenance Manager; Gretchen Olson; Barry Lilly, 629 NW Jason Ct., McMinnville; Nicole Montesano, News-Register; Mike Blailock, 8775 NE Sunset Knoll, Yamhill; Walt Gowell, P.O. Box 480, McMinnville; and Wendie Kellington, P.O. Box 159, Lake Oswego.

Commissioner Springer called the meeting to order at 10:00 a.m. The invocation was offered by John Vernon Peterson.

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 invocation at any government meetings or proceedings because it is divisive. He encouraged the commissioners to follow their religious dictates wherever they take them personally but should not be brought to bear on other citizens because it only divides the community and that is not an attribute of good leadership for the county.

SPECIAL PRESENTATION:

- Gretchen Olson - 10th Annual Hands and Words are not for Hurting

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

Contracts/Grants

1. **B.O. 15-411** - Ratify the host site agreement for sponsorship of the AmeriCorps Volunteer in Service to America (VISTA) member, retroactive to May 2, 2015 through April 30, 2016.
2. **B.O. 15-412** - Approve Amendment #5 to Agreement #9774 between Yamhill County and the Oregon Department of Education to extend the agreement for Healthy Start/Family Support Services, adding \$49,182, extended through December 31, 2015.
3. **B.O. 15-413** - Accept an award from the Substance Abuse and Mental Health Services Administration (SAMHSA) for an extension to the three-year High Risk Adult Court Enhancement grant in HHS Adult Behavioral Health, extended through September 29, 2016.

Resolutions

4. **B.O. 15-414** - Approve Resolution 15-10-8-1 proclaiming October 18-24, 2015, as the 10th Annual Hands and Words Are Not For Hurting Week in Yamhill
- C. **OLD BUSINESS:** None.
- D. **OTHER BUSINESS** (Add-ons and non-consent items):
1. Consideration of accepting a bid from Nice Electric Co. for video streaming in Room 32 of the Yamhill County Courthouse. *[Motion failed.]*

Commissioner Starrett expressed her opposition to video streaming equipment for Room 32 of the Courthouse stating that formal and informal meetings are, and have always been open to the public as well as access to minutes recordings. She added that meetings of importance are well attended and people will find the time if interested. She doesn't feel it's fair for the county to be charged for videos that only McMinnville and Amity would have access to and questioned how other cities such as Dundee and Newberg feel about paying for a feed that they don't have access to. Commissioner Starrett stated she is opposed and would rather wait and see if KLYC Radio is able to record meetings at no cost to the county.

Commissioner Primozich agreed with Commissioner Starrett and stated that if KLYC is able and willing to record meetings at no cost, he is in favor of holding off until further discussion with Dave Adams from KLYC Radio.

Commissioner Springer disagreed with his fellow commissioners adding that he likes having the right perception put out there for the public. Commissioner Springer moved approval of item D(1). The motion failed 2:1, Commissioner Springer voting aye, Commissioners Starrett and Primozich opposed.

2. **B.O. 15-415** - Consideration of approval of an agreement between Yamhill County and Brockamp & Jaeger for the courthouse elevator rehabilitation project, total amount of \$208,456, effective once fully executed.

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

3. **B.O. 15-416** - Consideration of approval of an agreement between Yamhill County and Andy Medcalf Construction Co. for the jail fire sprinkler system expansion/remodel project, total amount of \$173,242, effective once fully executed.

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

4. **B.O. 15-417** - Consideration of approval of a purchase agreement between Yamhill County HHS and HomeSteps, Freddie Mac Homes for the real property located at 1420 NE Johnstone Court, McMinnville, OR 97128, total purchase price of \$214,400.

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

E. **PUBLIC HEARINGS:**

1. **B.O. 15-418** - Adopt Ordinance 893 in the matter of repealing Ordinance 891, a Comprehensive Plan and Zoning Map Amendment on a 10.1-Acre portion of Tax Lot 3315-3800, applicant Michael Kelley, Planning Docket PAZ-01-15, and declaring an emergency.

Commissioner Springer opened the public hearing at 10:40 a.m.

Todd Sadlo provided the first and second readings of Ordinance 893, by title only. There being no public testimony, the public hearing closed at 10:43 a.m.

Commissioner Springer moved approval of item E(1). Commissioner Primozich said it's a shame it got to this point stating that what Mr. Kelley was attempting to do was to maintain the utilization of that property in the way that it was intended for farm use and the fact that it was appealed to LUBA, he finds disgusting. Commissioner Starrett agreed. The motion passed, Commissioners Springer, Starrett and Primozich voting aye.

2. **B.O. 15-419** - Docket PAZ-02-15 (KF), An application for a plan amendment/zone change to exchange nearly equal amounts of land zoned EF-80 Exclusive Farm Use and land zoned RI Resource Industrial. The proposed exchange will result in an additional 1.06 acres of EF-80 zoned property. *[Tentatively approved; final written decision, conditions and findings to be adopted on October 22, 2015.]*

Commissioner Springer opened the public hearing at 10:44 a.m.

There were no abstentions or objections to jurisdiction. Todd Sadlo read the statement required for land use hearings relating to the requirement that parties must raise all issues at the hearing or waive their right to raise the issues on appeal. Mr. Sadlo provided the first and second readings of Docket PAZ-02-15, by title only.

Staff Report - Ken Friday described the property and said the Planning Commission reviewed and approved the request in September of 2015.

Proponents - Wendie Kellington stated she represented the applicant and said the staff report addressed everything with nothing further to add. She asked the board for their consideration and approval of the application.

Walter Gowell described the application and the aspects of the property as conditions for future use.

Commissioner Starrett expressed how nice it is that everyone was able to come to an agreement without government involvement.

Staff Recommendation - Ken Friday stated that staff recommends board approval of the application.

Commissioner Springer closed the public hearing at 10:55 a.m.

Todd Sadlo said that County Counsel will bring the application back to the board with the final written decision, conditions and findings to be adopted on October 22, 2015. Commissioner Springer moved approval of item E(2). The motion passed, Commissioners Springer, Starrett and Primozych voting aye.

The meeting recessed at 10:58 a.m. for an executive session pursuant to ORS 192.660(2)(e) to discuss real property transactions and reconvened formal session at 12:05 p.m.

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 12:06 a.m.

Lucy Flores Mendez
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair ALLEN SPRINGER

Commissioner MARY STARRETT

Commissioner STAN PRIMOZICH