

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 January 17, 2007 at 10:30 a.m. in Room 32 of the Courthouse, Commissioners Kathy George, Mary P. Stern, and Leslie Lewis being present.

Also present was John Krawczyk, Administrative Services Director; Steve Mikami, Personnel Officer; Laura Tschabold, Projects Coordinator; and John Englebrecht, 1266 NW Augusta Drive, McMinnville.

Commissioner George called the meeting to order.

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. None offered.

B. **AGENDA:**

Personnel

1. **B. O. 07-70** - Consideration of the employment of Lori Bales, McMinnville, as Police Clerk in the Sheriff's Office, regular full-time, Range 4, Step 3, \$2277/month, effective January 25, 2007.
2. **B. O. 07-71** - Consideration of the employment of Carol Ann Hays, Sheridan, as Administrative Office Specialist in the Sheriff's Office, regular full-time, Range 9, Step 3, \$2818/month, effective January 29, 2007.

Ms. Stern moved approval of personnel items B(1), B(2), D(31), and D(32). The motion passed, Commissioners George, Stern, and Lewis voting aye.

Contracts

3. **B. O. 07-72** - Consideration of approval of Amendment #2 to an agreement between Public Works and OBEC Consulting Engineers to add additional tasks in the 3 Bridge Project #117-13.50, not to exceed \$589,931.

Ms. Lewis moved approval of the amendment. The motion passed, Commissioners George, Stern, and Lewis voting aye.

C. **OLD BUSINESS:** None.

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

Measure 37

1. **B. O. 07-73** - Consideration of approval of M37-87-06, a Measure 37 claim authorizing Patricia Ediger to make application to divide 28.5 acres into three lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Stern moved approval of the claim. The motion passed, Commissioners George, Stern, and Lewis voting aye.

2. **B. O. 07-74** - Consideration of approval of M37-90-06, a Measure 37 claim authorizing David Erickson to make application to divide 29.2 acres into lots of one to five acres each and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George and Lewis voting aye and Commissioner Stern voting no. Ms. Stern explained that she doesn't believe that the legislative intent of the voters was for rural subdivisions.

3. **B. O. 07-75** - Consideration of approval of M37-91-06, a Measure 37 claim authorizing Johnie and Laura Young to make application to divide 2.7 acres into two lots and to establish a dwelling on the vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Stern moved approval of the claim. The motion passed, Commissioners George, Stern, and Lewis voting aye.

4. **B. O. 07-76** - Consideration of approval of M37-92-06, a Measure 37 claim authorizing Lloyd and Dolores Bertrand to make application to divide 14.35 acres into three lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George, Stern, and Lewis voting aye.

5. **B. O. 07-77** - Consideration of approval of M37-96-06, a Measure 37 claim authorizing George and Carol Billette to make application to divide nine acres into five lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Stern moved approval of the claim, noting that the property was zoned rural residential at the time of purchase. The motion passed, Commissioners George, Stern, and Lewis voting aye.

6. **B. O. 07-78** - Consideration of approval of M37-98-06, a Measure 37 claim authorizing Wilton and Gloria Andrews to make application to divide 35.5 acres into four lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim.

The motion passed, Commissioners George and Lewis voting aye and Commissioner Stern voting no.

7. **B. O. 07-79** - Consideration of approval of M37-99-06, a Measure 37 claim authorizing Tris Victor Stiller to make application to divide 119 acres into five lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Stern moved approval of the claim, noting that the property was zoned AF-20 at the time of purchase. The motion passed, Commissioners George, Stern, and Lewis voting aye.

8. **B. O. 07-80** - Consideration of approval of M37-101-06, a Measure 37 claim authorizing Patricia Ediger to make application to establish a dwelling on 9.37 acres.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George, Stern, and Lewis voting aye.

9. **B. O. 07-81** - Consideration of approval of M37-102-06, a Measure 37 claim authorizing William and Janice Van Dyke to make application to divide 127.94 acres into approximately fifty lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George and Lewis voting aye and Commissioner Stern voting no.

10. **B. O. 07-82** - Consideration of approval of M37-103-06, a Measure 37 claim authorizing Thomas and Leona Draper to make application to divide 21.1 acres into eight lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George and Lewis voting aye and Commissioner Stern voting no. Ms. Stern stated that because a Measure 37 claim was approved for a large rural subdivision on the adjoining property, the Drapers have little hope of being able to farm their property.

11. **B. O. 07-83** - Consideration of approval of M37-104-06, a Measure 37 claim authorizing John and Margaret Hickert to make application to divide 13.59 acres into ten lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George and Lewis voting aye and Commissioner Stern voting no. Ms. Lewis pointed out that this land is located in the City of Newberg's Urban Reserve Area and could be annexed by the city and developed to city standards.

12. **Tabled** - Consideration of approval of M37-106-06, a Measure 37 claim authorizing the Clevenger Family Trust to make application to divide 108 acres into five-acre lots and to establish a dwelling on each vacant lot.

13. **B. O. 07-84** - Consideration of approval of M37-107-06, a Measure 37 claim authorizing Wallace and Mary Jo Ann Wood to make application to divide 56.04 acres into sixteen lots, to establish dwellings with associated guest or caretaker residences on thirteen undeveloped lots, to establish a common wall condominium on one undeveloped lot, and to establish a private air strip, par-three golf course, and related homeowner association improvements on one undeveloped lot.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George and Lewis voting aye and Commissioner Stern voting no.

14. **B. O. 07-85** - Consideration of approval of M37-108-06, a Measure 37 claim authorizing William and Lorraine Bjork to make application to divide 18.41 acres into five lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George and Lewis voting aye and Commissioner Stern voting no.

15. **B. O. 07-86** - Consideration of approval of M37-109-06, a Measure 37 claim authorizing John and Candace Kirsch to make application to establish a dwelling on 42 acres.

Mr. Krawczyk read the operative part of the order. Ms. Stern moved approval of the claim. The motion passed, Commissioners George, Stern, and Lewis voting aye.

16. **B. O. 07-87** - Consideration of approval of M37-110-06, a Measure 37 claim authorizing Myron Redford to make application to divide 38.11 acres into two lots, establish a dwelling on each vacant lot, and establish a dwelling on an additional five-acre property.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George, Stern, and Lewis voting aye.

17. **B. O. 07-88** - Consideration of approval of M37-111-06, a Measure 37 claim authorizing Richard and Judith Dougherty to make application to divide twenty acres into four lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George and Lewis voting aye and Commissioner Stern voting no.

18. **B. O. 07-89** - Consideration of approval of M37-113-06, a Measure 37 claim authorizing George and Cynthia Nelson to make application to establish a dwelling on 8.77 acres.

Mr. Krawczyk read the operative part of the order. Ms. Stern moved approval of the claim, noting that the property was zoned AF-20 at the time of purchase and the applicants may or may not get approval for a dwelling. The motion passed, Commissioners George, Stern, and Lewis voting

aye.

19. **B. O. 07-90** - Consideration of approval of M37-114-06, a Measure 37 claim authorizing Linda Gusa to make application to divide 9.2 acres into two lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George, Stern, and Lewis voting aye.

20. **B. O. 07-91** - Consideration of approval of M37-115-06, a Measure 37 claim authorizing Jim and Sandra Van De Walle to make application to divide two to three acres off of a 78.33-acre property and to establish a dwelling on the vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Stern moved approval of the claim. The motion passed, Commissioners George, Stern, and Lewis voting aye.

21. **B. O. 07-92** - Consideration of approval of M37-116-06, a Measure 37 claim authorizing Gary and Katherine George to make application to partition 393.9 acres into six 20-acre parcels, five 40-acre parcels, and one 66-acre parcel and to establish a dwelling on each vacant parcel. Division is to be through a series of partitions over six years or longer.

Before considering the claim, Commissioner George declared an actual conflict of interest in the matter because she is the claimant. She removed herself from consideration of the claim. Commissioner Stern, as vice-chair, assumed responsibility for directing consideration of the claim by herself and Commissioner Lewis.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners Stern and Lewis voting aye. Ms. Stern noted that she was supporting the claim because the property was zoned EF-40 and AF-20 at the time of purchase.

22. **B. O. 07-93** - Consideration of approval of M37-117-06, a Measure 37 claim authorizing James and Beverly Miller to make application to divide 27.4 acres into fourteen lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George and Lewis voting aye and Commissioner Stern voting no.

23. **B. O. 07-94** - Consideration of approval of M37-118-06, a Measure 37 claim authorizing Dee Goldman to make application to divide three properties totaling 89.08 acres into four lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Stern moved approval of the claim. The motion passed, Commissioners George, Stern, and Lewis voting aye.

24. **B. O. 07-95** - Consideration of approval of M37-119-06, a Measure 37 claim authorizing

Gary McIlvaine to make application to establish a dwelling on twenty acres.

Mr. Krawczyk read the operative part of the order, noting a typographical error to be corrected. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George, Stern, and Lewis voting aye.

25. **B. O. 07-96** - Consideration of approval of M37-120-06, a Measure 37 claim authorizing Verla Howard to make application to divide 21.5 acres into eight lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George and Lewis voting aye and Commissioner Stern voting no.

26. **B. O. 07-97** - Consideration of approval of M37-122-06, a Measure 37 claim authorizing Dorothy Hatch to make application to divide 47.3 acres into three lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Stern moved approval of the claim. The motion passed, Commissioners George, Stern, and Lewis voting aye.

27. **B. O. 07-98** - Consideration of approval of M37-123-06, a Measure 37 claim authorizing Gordon Zimmerman to make application to combine six lots into four lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George, Stern, and Lewis voting aye.

28. **B. O. 07-99** - Consideration of approval of M37-124-06, a Measure 37 claim authorizing Richard and Thomas Green to make application to establish a dwelling on two acres.

Mr. Krawczyk read the operative part of the order. Ms. Stern moved approval of the claim. The motion passed, Commissioners George, Stern, and Lewis voting aye.

29. **B. O. 07-100** - Consideration of approval of M37-125-06, a Measure 37 claim authorizing Dixie Manson to make application to divide 3.36 acres into three lots and to establish a dwelling on each vacant lot.

Mr. Krawczyk read the operative part of the order. Ms. Lewis moved approval of the claim. The motion passed, Commissioners George, Stern, and Lewis voting aye.

30. **B. O. 07-101** - Consideration of approval of M37-126-06, a Measure 37 claim authorizing Daniel and Kendra Cawley to make application to establish a dwelling on 8.7 acres.

Mr. Krawczyk read the operative part of the order. Ms. Stern moved approval of the claim, noting that the property was zoned EF-40 and AF-20 at the time of purchase and the applicants may

not get approval for a dwelling. The motion passed, Commissioners George, Stern, and Lewis voting aye.

Personnel

31. **B. O. 07-102** - Consideration of approval of the employment of Christel Smith as Office Specialist 2 in the Planning Department, regular full-time, Range 7, Step 1, effective January 24, 2007.

32. **B. O. 07-103** - Consideration of approval of the change of status of Shari Moehlmann to regular full-time employment in HHS Chemical Dependency, effective January 24, 2007.

Contract

33. **B. O. 07-104** - Consideration of the renewal of a contract employee agreement between the Sheriff's Office and Kari Lewers for license checker services at Yamhill County Dog Control, retroactive to July 12, 2007 through June 30, 2007.

Ms. Stern moved approval of the contract renewal. The motion passed, Commissioners George, Stern, and Lewis voting aye.

Minutes

34. Consideration of approval of the following formal session minutes:

- a. **B. O. 07-105** - December 2, 2004;
- b. **B. O. 07-106** - November 30, 2005;
- c. **B. O. 07-107** - December 22, 2005;
- d. **B. O. 07-108** - November 8, 2006.

35. Consideration of approval of the following informal session minutes:

- a. **B. O. 07-109** - May 10, 2005;
- b. **B. O. 07-110** - November 9, 2005;
- c. **B. O. 07-111** - November 28, 2005;
- d. **B. O. 07-112** - December 5, 2005;
- e. **B. O. 07-113** - November 6, 2006;
- f. **B. O. 07-114** - November 27, 2006;
- g. **B. O. 07-115** - December 4, 2006.

Ms. Stern moved approval of the formal and informal session minutes. The motion passed, Commissioners George, Stern, and Lewis voting aye.

E. **PUBLIC HEARINGS:** None.

F. **ANNOUNCEMENTS:**

1. The following positions are open to the public. Contact the Commissioners' Office for applications.

- a. Parks Board, four positions;
- b. Commission on Children & Families, one lay alternate position and one youth position;

c. Road Improvement Advisory Committee, one position.

2. Northwest Senior & Disability Services has openings for Yamhill County residents on the following regional councils:

a. Senior Advisory Council, one position;

b. Disability Services Advisory Council, one position.

For more information, contact Sally Lawson at (503)304-3473 or by e-mail at Sally.Lawson@state.or.us.

The meeting adjourned at 11:24 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair KATHY GEORGE

Commissioner MARY P. STERN

Commissioner LESLIE LEWIS