

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 April 7, 2011, at 10:00 a.m. in Room 32 of the Courthouse, Commissioners Mary P. Stern, Leslie Lewis, and Kathy George being present.

Also present were Rick Sanai, County Counsel; Chuck Vesper, Deputy County Administrator; Pat Anderson, Human Resources; Ken Friday, Planning Division Manager; Doug McGillivray, Emergency Management; Silas Halloran-Steiner, HHS Director; Hannah Hoffman, News-Register; Joseph Gall, 1156 SW Westvale St, McMinnville; Mike Knutz, Josh Knutz, Zack Drew, and Linda McMahan, OSU Extension Service; Marilyn Reeves, PO Box 1083, McMinnville; Marn Greenfield, 14745 NW Gillihan, Portland 97231; Shelley Holly, 700 NE Multnomah Ave #1000, Portland 97232.

Commissioner Stern 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.

Joseph Gall read a written statement about his previous petition to the Board for redress of grievances related to his property taxes and requested additional time to present his testimony. He was granted an additional three minutes to speak and stated that three minutes would be inadequate. Ms. Stern said that the Board had asked Mr. Gall to submit his testimony in writing, which he declined to do, and the Board does not have the authority to grant the compensation and punishment he is asking for. She said that he would need to take that request to the courts. After Commissioners George and Lewis stated that they had not had an opportunity to read his 88-page initiative, he responded that they have been derelict in their duties. He submitted his written comments for the Board.

B. **AGENDA:**

Extension Service

1. Presentation by Mike Knutz about Oregon State University Extension Service in Yamhill County.

Mr. Knutz, along with 4-H representatives Zach Drew and Josh Knutz, presented the history of Extension Service and its mission and core program areas. They noted that the

Extension Service is celebrating 100 years of service this year and Yamhill County is the birthplace of the Oregon 4-H program. They submitted a copy of the presentation to the Board.

Resolutions

2. **B. O. 11-174** - Consideration of adoption of Resolution 11-4-7-1 proclaiming April 14, 2011, as Oregon State University Extension Service Centennial Day.

Ms. Lewis moved approval of item B(2). The motion passed, Commissioners Stern, Lewis, and George voting aye.

3. **B. O. 11-175** - Consideration of adoption of Resolution 11-4-7-2 proclaiming April 2011 as Earthquake and Tsunami Awareness Month in Yamhill County.

Doug McGillivray discussed the increase in outreach programs and noted that June 11 would be a very large preparedness day in Yamhill County, with earthquakes and tsunamis being the central focus. Ms. George moved approval of item B(3). The motion passed, Commissioners Stern, Lewis, and George voting aye.

Minutes

4. Consideration of approval of the following minutes:
- B. O. 11-176** - April 5-7, 2010, informal session;
 - B. O. 11-177** - March 7, 2011, informal session;
 - B. O. 11-178** - March 10, 2011, formal session;
 - B. O. 11-179** - March 17, 2011, work session.

Ms. Lewis moved approval of item B(4). The motion passed, Commissioners Stern, Lewis, and George voting aye.

Personnel

5. **B. O. 11-180** - Consideration of the change of status of the following individuals to regular part-time employment in HHS Public Health, effective April 9, 2011:
- Rachel Woolley; .3 FTE;
 - Jacqueline Terrill-Cooke, .425 FTE;
 - Melissa Heuberger, .15 FTE;
 - Yvette Gaynor, .425 FTE.

Ms. George moved approval of item B(5). The motion passed, Commissioners Stern, Lewis, and George voting aye.

6. **B. O. 11-181** - Consideration of the change of status of Lindsey Manfrin to Program Manager 2 in HHS Public Health, .8 FTE, Range 26, Step 2, effective April 9, 2011.

Ms. George moved approval of item B(6). The motion passed, Commissioners Stern, Lewis, and George voting aye.

7. **B. O. 11-182** - Consideration of the employment of Ana Espinoza as Extra Help in HHS Public Health, temporary part-time, .2 FTE, \$15.98/hour, effective April 9, 2011, through June 30, 2011.

Ms. George moved approval of item B(7). The motion passed, Commissioners Stern, Lewis, and George voting aye.

8. **B. O. 11-183** - Consideration of the employment of Tamera-Lynn Patterson as Office Specialist 2 in the District Attorney's Office, regular full-time, Range 7, Step 2, effective April 9, 2011.

Ms. Stern moved approval of item B(8). The motion passed, Commissioners Stern, Lewis, and George voting aye.

Contracts/Grants

9. **B. O. 11-184** - Consideration of approval of an agreement between the Sheriff's Office, provider, and the City of Willamina for police services, 1.5 FTE, and code enforcement services, approximately 19 hours/week, \$199,148, effective July 1, 2011, through June 30, 2012.

Ms. Stern moved approval of item B(9). The motion passed, Commissioners Stern, Lewis, and George voting aye.

10. **B. O. 11-185** - Consideration of approval of an agreement between the Sheriff's Office, provider, and the City of Lafayette for police services, 1.5 FTE, and code enforcement services, 15 hours/week, \$194,941, effective July 1, 2011, through June 30, 2012.

Ms. Stern moved approval of item B(10). The motion passed, Commissioners Stern, Lewis, and George voting aye.

11. **B. O. 11-186** - Consideration of authorizing HHS Public Health to submit a collaborative grant application with Early Head Start to expand the Home Visiting program, \$450,000 for one year with possible continuation.

After an explanation of the grant application by Silas Halloran-Steiner, Ms. George moved approval of item B(11). The motion passed, Commissioners Stern, Lewis, and George voting aye.

12. **B. O. 11-187** - Consideration of accepting the apparent low bid from Roy Houck Construction, LLC, for the 2011 Overlay Project and authorizing a notice of intent to award the contract to Roy Houck Construction, LLC, for the total basic project and Alternate Project #1, \$1,416,317.

Ms. Lewis stated that there were five bidders and the lowest two were below the engineer's estimate. She said that Alternate Project #2 may be added if funding looks stable.

She moved approval of item B(12). The motion passed, Commissioners Stern, Lewis, and George voting aye.

Plans

13. **B. O. 11-188** - Consideration of adoption of the updated Emergency Operations Plan for Yamhill County.

Mr. McGillivray explained that this is a dynamic document and would be updated as needed. He said that he would come back to the Board every five years with a revised plan and make minor changes along the way. He said that communication with the cities is much improved and he is working with the cities of Yamhill and Dayton to develop their own pieces of this plan. Ms. George moved approval of item B(13). The motion passed, Commissioners Stern, Lewis, and George voting aye.

Budget

14. **B. O. 11-189** - Consideration of approval of a transfer of appropriation authority within Fund 11 to cover costs related to the 2011 Maintenance Improvement Projects List, \$570,796.

Ms. Lewis explained that even though the projects are in next year's budget, the crews need to start the preparation work during this fiscal year. She moved approval of item B(14). The motion passed, Commissioners Stern, Lewis, and George voting aye.

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

1. **B. O. 11-190** - Consideration of the change of status of the following employees to extend temporary part-time employment in Community Corrections:
 - a. Richard McKenna, retroactive to February 27, 2011, through August 27, 2011;
 - b. Duane Terry, retroactive to March 10, 2011, through September 10, 2011.

Ms. Stern moved approval of item C(1). The motion passed, Commissioners Stern, Lewis, and George voting aye.

2. **B. O. 11-191** - Consideration of approval of a Business Associate Agreement between HHS and MTM Services, LLC, provider, to allow the exchange of county mental health client data and the analysis of services event data as part of a statewide project to increase access for mental health clients, improve processes, and better manage data reporting and compliance, retroactive to December 1, 2010, through November 30, 2012.

Ms. George moved approval of item C(2). The motion passed, Commissioners Stern, Lewis, and George voting aye.

D. **OLD BUSINESS:** None.

E. **PUBLIC HEARINGS:**

1. Consideration of Planning Docket G-02-10(KF), a request for modifications to Goal 3, 11, and 14 exceptions for the Newberg-Dundee Bypass corridor and the East Dundee

Interchange adopted in 2004; to adopt four new exceptions to Goals 3, 11, and 14 associated with the bypass project; and to amend the Comprehensive Plan, Transportation System Plan, and land use regulations to adopt or amend plan policies related to the bypass corridor; applicant Yamhill County (procedure initiated by Oregon Department of Transportation), as continued from March 31, 2011, at the point of Staff Recommendation. *[Tentatively approved, findings to be adopted April 28, 2011.]*

Ms. Stern opened the public hearing. Ken Friday reported that since the last hearing, the county had received one additional letter from Friends of Yamhill County, one from Jon Mangis and Donald Alexander, and an e-mail message from Ken Dollinger. He stated that issues raised could be directed to ODOT during their review process.

Ms. Stern stated that there was some confusion at the February hearing as to whether or not the record was closed, so the Board would allow the additional documents. Ms. Lewis noted that Mr. Mangis's letter is already in the record. Ms. Stern stated that the Board would take judicial notice of the signed conformed municipal ordinances.

Staff Recommendation - Mr. Friday stated that this application is not a new project, but a refinement and continuation of a previous approval, and it also removes many acres from the original bypass corridor. He said that most of what was said during the Planning Commission deliberations did not specifically address the approval criteria, but at least one commission member had indicated that the vote for denial was based on the modified design of the Dayton interchange and the lack of emergency service access to local residents. He stated that each interchange area was scrutinized in detail during many meetings that were well-attended by local residents, emergency service providers, and city and county officials. He emphasized that the interchange designs reflect sound engineering, provision of emergency services, environmental and aesthetic concerns, costs, and significant local input. He recommended approval of the application.

Ms. Stern noted that the findings would refer to the removal of land no longer in the bypass corridor as well as the interchange areas.

Close of Public Hearing / Deliberation - Ms. Lewis moved tentative approval of Planning Docket G-02-10, with findings to be adopted April 21, 2011. She said that she agrees with what was said in the staff recommendation and has been impressed by the citizen participation as well as the good input from ODOT engineering staff. Referring to the Planning Commission member who had expressed concerns about the Dayton interchange, she said that she wishes he had attended the meetings where those concerns were addressed. She said that she understands the public frustration with the length of this process and it is time to finish the approval process and get Phase 1 constructed. She stated that the approval criteria is well addressed in the record. Commissioners George and Stern added their appreciation to ODOT staff for their patience and hard work, and they shared in the frustration expressed by the public. Ms. Stern said she looks forward to the time when Newberg and Dundee can reclaim their downtown areas, and this would provide improved quality of life for the residents.

Ms. George stated that she would not be present on April 21. Ms. Lewis amended her motion to have the findings adopted on April 28, 2011. The motion passed, Commissioners Stern, Lewis, and George voting aye.

F. ANNOUNCEMENTS:

1. The following positions are open to the public. Contact the Commissioners' Office for applications.
 - a. Commission on Children & Families, four full members and three alternate members;
 - b. Parks & Recreation Board, one position.

The meeting adjourned at 11:15 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair	MARY P. STERN
Commissioner	LESLIE LEWIS
Commissioner	KATHY GEORGE