

**INFORMAL SESSION MINUTES**

**April 27, 2004** 9:00 a.m.

Room 108, Courthouse

PRESENT: Commissioners Kathy George and Mary P. Stern.

Staff: John M. Gray, Jr., John Krawczyk, Steve Mikami, Murray Paolo, Diane Cilenti, Ken Friday, and Bill Gille.

Guests: David Bates, News-Register and Lisa Kreder, Dayton High School.

\* indicates item forwarded to formal agenda

Kathy called the meeting to order at 9:08. She excused Leslie, who is in Washington, D.C. working on the bypass.

\* Personnel - Steve presented requests for personnel action received from various departments. See agenda for details.

Martin and Wright Property - Steve provided an update on the Martin and Wright property, stating that the demolition permit has been acquired to take down the shed and expose the tank for removal by DEQ. He said DEQ will be looking at the site today in order to determine a timeline for the removal and what the limited uses of the property will be. John G stated that the plan is for the Board to give the property to the school district and require reimbursement for out-of-pocket costs. A portion of the property would be reserved for the Juvenile wood barn program.

Safety Issues - In light of yesterday's accident at the courthouse, the Board briefly discussed the need for safety glass in the building. John K recommended that the Safety Committee look into the issue and explore all options. It was agreed that the broken door at least should be replaced with safety glass.

Public Hearings - Ken Friday briefed the Board on two land use hearings scheduled for May 13, 2004. A site visit was scheduled for May 11, 2004 at 3:00 p.m.

\* Transfer of Appropriation Authority - Approve a transfer of budget appropriation authority for Information Systems for replacement of computers as follows:

From:	To:
040-161-611.02 Contract Services, \$22,000	040-017-543.01 Department Equipment, \$22,000

Murray noted that in the future, the Mobile Data Terminals will need to be on a replacement cycle similar to the computers, although the MDTs have a much higher cost per unit.

\* Special Transportation Funds (STF) - Diane presented a handout of the recommended STF allocations (see attachment). Consensus: approve the allocation of 2004-2005 STF funds as recommended by the STF Committee.

\* Contracts - see agenda.

\* Transfer of Ownership - Approve the transfer of ownership of decontamination and personal protection equipment received through a State Homeland Security Grant to the various entities. See agenda for details.

\* Resolution - Approve a resolution stating the Board's intent to maintain adequate reserves in the Solid Waste Fund to insure against potential future environmental problems at closed county-owned landfills. John G explained that the resolution maintains the Board's ability to access the reserves for interfund loans and other necessary purposes, but conveys the Board's intent to budget consistently with the Solid Waste Fund Advisory Committee's recommendations when practicable.

\* Public Health Plan - Approve the 2004-2005 Annual Plan for Public Health.

\* License - Deny the application of Bill Hopper, Newberg, for a business license, and authorize a refund of the license fee. John G stated that he will send Mr. Hopper notice of the denial and explain the zoning regulations prohibiting the proposed land use, along with his rights to be heard by the Board on the matter. He said he will explain to Mr. Hopper the need to apply to the Planning Department for a land use permit.

\* Surplus County Property - Authorize the distribution of proceeds from the sale of surplus county property, Tax Lot R3404AD-03200. John G noted that the county's share of the proceeds is 68 cents.

County Policy - John K suggested that employees should not sign letters to the newspaper as a county employee unless they have authorization from their department head. Mary stated that while an employee can mention his or her employment position in the body of the letter, including it in the signature line implies that he or she is speaking on behalf of the county. Kathy emphasized the importance of making sure employees understand that they are welcome to express their opinions and identify themselves as county employees. John K agreed and suggested discussing the issue at the next Management Round Table meeting.

Coast Range Conifers, LLC v. Oregon - John G summarized the regulatory taking case against the State of Oregon, stating that the position of the Appeals Court is that if the government takes a portion of a parcel, it is considered a "full taking" and the government must buy the entire parcel. He read a synopsis by Rick Sanai disagreeing with the Appeals Court. He stated that he received a copy of an amicus brief from Tim Dowling, representing the League of Oregon Cities, inviting the county to sign on in support of the state's position. Kathy stated that she would like to talk with Rick before making a decision.

Crabtree Quarry - John G stated that Mike Gunn, representing Crabtree Quarry, has asked for a response to his petition to the Board and has requested that his client be present at the Board's informal discussion of the matter. John G explained that the portion of the easement granted to the quarry by the preceding owner is a private matter which is not under the county's jurisdiction, but Niederberger Road is a county road on which restrictions can be imposed. He stated that Leslie offered to write a draft of a letter in response to Mr. Gunn's petition, which he will edit and circulate among the commissioners for editing. He suggested that once the letter is satisfactory, it could be accepted without a discussion.

Kathy recessed to executive session at 10:18 for the purpose of discussing labor negotiations.

The meeting resumed at 10:46 with no decisions made.

Spirit Mountain Community Fund - Mary reported that the Sheriff's request for funding may be considered after all and she wants to talk with Jack before sending a letter from the commissioners, since it is a touchy situation.

The meeting adjourned at 10:53 a.m.

Anne Britt  
Secretary