

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 May 3, 2012, at 10:00 a.m. in Room 32 of the Courthouse, Commissioners Leslie Lewis, Kathy George, and Mary P. Stern being present.

Also present were Laura Tschabold, County Administrator; Rick Sanai, County Counsel; Mike Brandt, Planning Director; Ken Friday, Planning Division Manager; Ossie Bladine, News-Register; Denise Bacon, candidate for commissioner, Katie Vinson, 42240 SW Fort Hill Rd, Willamina; and Merylyn Reeves, PO Box 1083, McMinnville.

Commissioner Lewis called the meeting to order at 10:00 a.m.

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. **CONSENT AGENDA:** Ms. Stern moved approval of the consent agenda. The motion passed, Commissioners Lewis, George, and Stern voting aye.

Minutes

1. **B. O. 12-209** - Approve the formal session minutes from April 19, 2012.

Contracts/Grants

2. **B. O. 12-210** - Authorize the Assessor’s Office to apply for the 2012-13 Assessment & Taxation Grant from Oregon Department of Revenue, \$2,247,337.

C. **OLD BUSINESS:** None.

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

1. **B. O. 12-211** - Consideration of the employment of Pattie Lichty as Extra Help in the Assessor’s Office, temporary part-time, \$10/hour, effective May 3, 2012, through June 30, 2012.

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

2. **B. O. 12-212** - Consideration of the employment of Darci Ancalade as Office Specialist 2 in HHS Family & Youth, temporary part-time, Range 7, Step 3, retroactive to April 30, 2012, through June 30, 2012.

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

3. **B. O. 12-213** - Consideration of approval of Amendment #1 to Grant Agreement #27488 between the Transit Division and Oregon Department of Transportation for the purchase of two buses.

Ms. Lewis moved approval of item D(3). The motion passed, Commissioners Lewis, George, and Stern voting aye.

E. **PUBLIC HEARINGS:**

1. Consideration of Planning Docket G-01-12(KF/MB), proposed amendments to the Yamhill County Zoning Ordinance to update the ordinance and incorporate new legislation, applicant Yamhill County. *[Continued to May 10, 2012, 9:00 a.m., at the point of Staff Recommendation.]*

Ms. Lewis opened the public hearing.

Staff Report - Ken Friday reviewed the items identified by the Planning Department as necessary updates, noting that Section 1013, which is about agri-tourism and farm-related events, has gotten the most attention. He stated that the Planning Commission had adopted the amendments as written with some additions to Section 1013.

Public Comment - Marilyn Reeves, representing Friends of Yamhill County, stated that it is important for the county to review state law and amend its ordinance accordingly. She urged the Board to look at the additions made by the Planning Commission and approve them. She specifically discussed the sunset clause and the language prohibiting amplified music, and stated that Friends of Yamhill County supports these amendments. She said that there is no good way to enforce an attendance limit at events, but 500 people or 250 vehicles would be excessive at some locations. She said that the appropriate limit would depend on the event, and event sponsors need to understand the need for traffic control, fire safety precautions, adequate facilities for safety and water, etc. She stated that although it was not part of the Planning Commission's recommendation, it would be appropriate to establish a fee schedule for these event applications.

Katie Vinson, one of the owners of Wildwood Hotel in Willamina, discussed plans for a music festival that would show off some of the county's most beautiful areas and serve local food and drink. She said that it wouldn't fit within the parameters of a mass gathering permit, so she was excited to hear about this legislation for rural events. She expressed concern about the prohibition of any amplified music, noting that her neighbors are all very supportive of the music festival, and amplified music wouldn't have any negative effects in this situation.

Staff Recommendation - Mike Brandt recommended approval of the proposed changes, stating that each of the changes had been reviewed in an informal Board session last September, with a consensus from the Board that the only sections needing further discussion were the flood plain sections (not included in this request), the agri-tourism section (Section 1013), and the sign

section (Section 1008). Mr. Friday said that those notes would be included in the record.

Mr. Brandt provided background information about agri-tourism and Senate Bill 960. He said that he had incorporated the language of SB960 and suggestions made by the Planning Commission and Sid Friedman into the current proposal, which he tried to make as uniform as possible for different kinds of events.

He reviewed the changes made to the proposal after the Planning Commission hearing, including the one-year sunset clause and the language about amplified music and attendance limits. He said that one year isn't enough time to give the county a good basis for evaluation, so if the Board wants a sunset clause, he would suggest it be longer than one year. Ms. Lewis stated that she is not in favor of the sunset clause, because the Board can re-evaluate and change the ordinance if problems arise. She said that wineries can already do these kinds of events, and other kinds of farmers shouldn't be penalized. Ms. Stern agreed with the removal of the clause, stating that the Board would keep a close eye on things and that she would commit to re-evaluating the ordinance before leaving office.

Mr. Brandt said that attendance limits are almost unenforceable, but he believes the intent of SB960 was that the maximum refers to the number of people in attendance at any given time. He said that this ordinance would be subject to ORS 215.296, which sets forth pretty straightforward complaint and arbitration methods. He said that if the attendance limit were removed from the ordinance, the county could still set conditions on individual events as deemed appropriate. The Board agreed that the attendance limit should not be in the ordinance, but that Mr. Brandt would evaluate applications on a case by case basis.

Mr. Brandt reviewed the different application processes for Type A and Type B permits, noting that Type A permits would not require advance notification to neighbors. He said that the Type B permit process would take a few weeks longer than Type A. Ms. Lewis stated that she doesn't agree with giving neighbors veto power, as long as they are notified and given the opportunity for a public hearing. She said that neighbors should be notified in advance if the request includes amplified music. After further discussion the consensus of the Board was to allow applicants to request amplified music for one of the six events per year under the Type B permit.

Mr. Brandt said that overnight camping wasn't addressed in SB960, but it seems to be a contentious issue with neighbors and he doesn't see the need for camping as part of a promotional activity for agriculture. He explained that if the Board decides to adopt SB960, it can be more restrictive than the language in the bill, but not less. The Board agreed that any event including overnight camping should require a Type B permit.

Ms. George was excused at 11:00 a.m. to attend another meeting. Ms. Lewis reviewed the changes to be made to the draft ordinance language. She stated that the commissioners could talk individually to Mr. Brandt and Rick Sanai if they have any concerns about the sign section.

Ms. Stern moved to continue the hearing to 9:00 a.m. on May 10, 2012, at the point of Staff Recommendation. The motion passed, Commissioners Lewis and Stern voting aye and

