

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 June 13, 2007 at 9:00 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; Rick Sanai, Assistant County Counsel; Steve Mikami, Personnel Officer; Mike Brandt, Planning Director; David Bates, News-Register; Marilyn Reeves; and Ilsa Perse.

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. 07-486** - Consideration of ratifying the emergency hire of Drew Callicote, Gresham, as on-call relief in the Juvenile Department, \$7.80/hour, retroactive to June 8, 2007.

Ms. Stern moved to ratify the emergency hire. The motion passed, Commissioners George, Stern, and Lewis voting aye.

Contracts

2. **B. O. 07-487** - Consideration of approval of Amendment #1 to an agreement between Community Corrections and Oregon Parks & Recreation for inmate work crew services at various state parks, increasing the annual not-to-exceed amount from \$10,000 to \$20,000.

3. **B. O. 07-488** - Consideration of approval of Amendment F to Contract #184 02 between Health & Human Services and Chemeketa Community College for the Job Opportunities and Basic Skills (JOBS) Program, effective through June 30, 2008.

4. **B. O. 07-489** - Consideration of accepting a proposal from Maier Roofing Co. Inc. for repair work on the Clerk’s Office roof, \$10,645.

Ms. George moved approval of items B(2) through B(4). The motion passed, Commissioners George, Stern, and Lewis voting aye.

Budget

5. **B. O. 07-490** - Consideration of authorizing the transfer of appropriation authority for retirement FET payout and the hire of the new Finance Officer:

From	10-39-801.19	Equipment Purchase	\$16,500
To	10-10-401.19	Financial Manager	\$10,000
	10-10-480.00	Extra Hours	\$2500
	10-10-493.00	Health Insurance	\$1500
	10-10-499.99	Vacation Liability Adjustment	\$2500

6. **B. O. 07-491** - Consideration of authorizing the transfer of appropriation authority for unbudgeted energy upgrade projects, overruns in remodel costs, and costs charged to Materials & Services instead of Capital Outlay:

From	40-27-792.00	Bond Interest Payment	\$130,000
	40-27-820.01	Misc Building Remodeling	\$113,000
	40-27-820.05	Building Remodel HHS	\$103,000
To	40-27-511.09	Maintenance Supplies	\$215,000
	40-27-611.02	Contract Services	\$80,000
	40-27-670.02	Heat/Lights/Water	\$51,000

7. **B. O. 07-492** - Consideration of authorizing the transfer of appropriation authority for additional expenses due to moves, remodels, energy projects, increased janitorial costs, and supplies:

From	40-27-820.05	Building Remodel HHS	\$116,000
To	40-16-479.00	Other Earnings	\$3000
	40-16-481.00	Overtime	\$9000
	40-16-482.00	Extra Help	\$3000
	40-16-494.00	Accident Insurance	\$1000
	40-16-499.99	Vacation Liability Adjustment	\$2000
	40-16-511.09	Maintenance Supplies	\$20,000
	40-16-611.03	Janitorial Contracts	\$18,000
	40-16-670.02	Heat/Lights/Water	\$60,000

8. **B. O. 07-493** - Consideration of authorizing the transfer of appropriation authority for Homeland Security Grant expenses:

From	10-39-801.19	Equipment Purchase	\$163,000
To	10-39-611.30	Grant Expenses	\$163,000

9. **B. O. 07-494** - Consideration of authorizing the transfer of appropriation authority for Juvenile Functional Family Therapy:

From	10-78-780.43	Justice Court	\$50,000
To	10-74-613.05	Juvenile Sub-contract	\$50,000

Ms. Lewis moved approval of items B(5) through B(9). The motion passed, Commissioners

George, Stern, and Lewis voting aye. John Krawczyk pointed out that the budget codes on item B(9) were listed incorrectly. Ms. Lewis moved to reconsider approval of item B(9). The motion passed, Commissioners George, Stern, and Lewis voting aye. Ms. Stern moved approval of item B(9) with the appropriation authority being transferred to budget code 10-74-613.05. The motion passed, Commissioners George, Stern, and Lewis voting aye.

Resolutions

10. **B. O. 07-495** - Consideration of adoption of Resolution 07-6-13-1 in the matter of the 2007 election to receive O&C Land related safety-net payments under P.L.106-393.

11. **B. O. 07-496** - Consideration of adoption of Resolution 07-6-13-2 in the matter of the 2007 election to receive National Forest related safety-net payments under P.L.106-393.

Ms. Stern moved approval of items B(10) and B(11). The motion passed, Commissioners George, Stern, and Lewis voting aye.

Refund

12. **B. O. 07-497** - Consideration of authorizing the Planning Department to issue a refund of \$978 to Joseph Evers.

Ms. Stern moved to authorize the refund. The motion passed, Commissioners George, Stern, and Lewis voting aye.

C. OLD BUSINESS:

Measure 37 (Items 1-32 continued from May 30, 2007)

1. Consideration of approval of M37-235-06, a Measure 37 claim authorizing Stimson Lumber Company to make application to divide 459.6 acres into multiple lots and to establish a dwelling on each vacant lot. *[Continued to June 20, 2007.]*

Ms. Stern moved to continue M37-235-06 to June 20, 2007. The motion passed, Commissioners George and Stern voting aye and Commissioner Lewis abstaining.

2. **B. O. 07-498** - Consideration of M37-171-06, a Measure 37 claim authorizing the Hazel Timmons Trust to make application to divide 12.67 acres into three lots and to establish a dwelling on each vacant lot.

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

3. **B. O. 07-499** - Consideration of M37-172-06, a Measure 37 claim authorizing the Hazel Timmons Trust to make application to divide 3.67 acres into two lots and to establish a dwelling on each vacant lot.

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

4. **B. O. 07-500** - Consideration of M37-248-06, a Measure 37 claim authorizing Harry Barnett to make application to divide 78.5 acres into lots of ten acres or less and to establish a dwelling on each vacant lot.

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

5. **B. O. 07-501** - Consideration of M37-249-06, a Measure 37 claim authorizing H. Ford and Margaret Forster to make application to divide 45.66 acres into nine lots and to establish a dwelling on each vacant lot.

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

6. **B. O. 07-502** - Consideration of M37-252-06, a Measure 37 claim authorizing Leona Atchley to make application to divide 19.3 acres into two-acre lots and to establish a dwelling on each vacant lot.

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

7. **B. O. 07-503** - Consideration of M37-259-06, a Measure 37 claim authorizing Joan Cooper to make application to establish a dwelling on a seven-acre portion of the property.

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

8. **B. O. 07-504** - Consideration of M37-260-06, a Measure 37 claim authorizing Donald Alexander to make application to remove the restrictions of the Interchange Overlay District.

Mr. Brandt read the operative part of the order. Ms. Lewis moved approval of the order, noting that this would not affect the bypass interchange. The motion passed, Commissioners George, Stern, and Lewis voting aye.

9. **B. O. 07-505** - Consideration of M37-261-06, a Measure 37 claim authorizing Oliver and Emily Reynoldson to make application to divide 64.8 acres into thirteen lots and to establish a dwelling on each vacant lot.

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

10. **B. O. 07-506** - Consideration of M37-262-06, a Measure 37 claim authorizing Gary and

Barbara Skiles to make application to divide 4.79 acres into two lots and to establish a dwelling on the vacant lot.

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

11. **B. O. 07-507** - Consideration of M37-263-06, a Measure 37 claim authorizing Michael and Charlene Hintermeyer to make application to divide eighty acres into four lots and to establish a dwelling on each vacant lot.

Mr. Brandt read the operative part of the order, noting that the applicants could only apply for a retirement separation. Ms. Lewis moved approval of the order. The motion passed, Commissioners George, Stern, and Lewis voting aye.

12. **B. O. 07-508** - Consideration of M37-265-06, a Measure 37 claim authorizing Jeffrey and Kathy Pearson to make application to divide 43.6 acres into two lots and to establish a dwelling on the vacant lot.

Mr. Brandt read the operative part of the order, noting that the applicants could only apply for a retirement separation. Ms. Stern moved approval of the order. The motion passed, Commissioners George, Stern, and Lewis voting aye.

13. **B. O. 07-509** - Consideration of M37-266-06, a Measure 37 claim authorizing William and Diane Schulz to make application to divide 3.78 acres into three lots and to establish a dwelling on each vacant lot.

Mr. Brandt read the operative part of the order, noting that the applicants would have to apply for a conditional use permit under the Ordinance 29 interpretation. Ms. Stern moved approval of the order. The motion passed, Commissioners George, Stern, and Lewis voting aye.

14. **B. O. 07-510** - Consideration of M37-267-06, a Measure 37 claim authorizing Dorothy Lloyd to make application to divide 131 acres into seven lots and to establish a dwelling on each vacant lot.

Mr. Brandt read the operative part of the order, noting that the most the applicants could get would be five lots, but even that isn't likely. Ms. Stern moved approval of the order. The motion passed, Commissioners George, Stern, and Lewis voting aye.

15. Consideration of M37-268-06, a Measure 37 claim authorizing the Helen Avery Estate to make application to divide 42.8 acres into ten lots and to establish a dwelling on each vacant lot. *[Continued to June 20, 2007.]*

Mr. Brandt stated that he did not have the paperwork for this claim with him. Ms. Stern moved to continue the item to June 20, 2007. The motion passed, Commissioners George, Stern, and Lewis voting aye.

16. Consideration of M37-269-06, a Measure 37 claim authorizing Lorraine Paddock to make application to divide 7.7 acres into five lots and to establish a dwelling on each vacant lot. *[Continued to June 20, 2007.]*

Mr. Brandt requested that the item be continued to allow him to discuss new information with John Gray. Ms. Stern moved to continue the item to June 20, 2007. The motion passed, Commissioners George, Stern, and Lewis voting aye.

17. **B. O. 07-511** - Consideration of M37-270-06, a Measure 37 claim authorizing Gayle Wilhoit to make application to establish a dwelling on each vacant lot.

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

18. Consideration of M37-272-06, a Measure 37 claim authorizing Deborah Park Jeffries and Rebecca Park Pennington to make application to divide 101.1 acres into 2.5-acre lots and to establish a dwelling on each vacant lot. *[Continued to June 20, 2007.]*

Mr. Brandt requested that the item be continued to allow him to discuss new information with Mr. Gray. Ms. Stern moved to continue the item to June 20, 2007. The motion passed, Commissioners George, Stern, and Lewis voting aye.

19. **B. O. 07-512** - Consideration of M37-274-06, a Measure 37 claim authorizing Clorene Robertson to make application to establish a dwelling on a five-acre vacant lot.

Mr. Brandt stated that he did not have the paperwork for this claim with him. Ms. Stern moved to continue the item to June 20, 2007. The motion passed, Commissioners George, Stern, and Lewis voting aye. Later in the meeting, the paperwork was found and Ms. Stern moved to reconsider the item. The motion passed, Commissioners George, Stern, and Lewis voting aye.

Mr. Brandt read the operative part of the order, noting that the property was zoned EF-40 at the time of purchase and had a lot of record provision. Ms. Lewis moved approval of the order. The motion passed, Commissioners George, Stern, and Lewis voting aye.

20. **B. O. 07-513** - Consideration of M37-276-06, a Measure 37 claim authorizing Clorene Robertson to make application to divide five acres into two lots and to establish a dwelling on each vacant lot.

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

21. **B. O. 07-514** - Consideration of M37-277-06, a Measure 37 claim authorizing Hulda Rutschman to make application to divide 54.1 acres into ten to fifteen lots and to establish a dwelling on each vacant lot.

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

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

22. **B. O. 07-515** - Consideration of M37-278-06, a Measure 37 claim authorizing Paul Poole to make application to establish a dwelling on 44.83 acres.

Mr. Brandt read the operative part of the order, noting that the property was zoned EF-40 at the time of purchase. Ms. Stern moved approval of the order. The motion passed, Commissioners George, Stern, and Lewis voting aye.

23. **B. O. 07-516** - Consideration of M37-279-06, a Measure 37 claim authorizing Robert and Betty Janzen to make application to establish a dwelling on 9.52 acres.

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

24. **B. O. 07-517** - Consideration of M37-280-06, a Measure 37 claim authorizing Robert and Betty Janzen to make application to divide 13.44 acres into lots to merge with proposed development in adjacent Polk County and to establish a dwelling on each vacant lot.

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

25. **B. O. 07-518** - Consideration of M37-281-06, a Measure 37 claim authorizing Robert and Betty Janzen to make application to divide 114.46 acres into ten to twelve lots and to establish a dwelling on each vacant lot.

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

26. **B. O. 07-519** - Consideration of M37-282-06, a Measure 37 claim authorizing Robert and Betty Janzen to make application to establish a dwelling on 8.58 acres.

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

27. **B. O. 07-520** - Consideration of M37-283-06, a Measure 37 claim authorizing Robert and Betty Janzen to make application to establish a dwelling on 9.37 acres.

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

28. **B. O. 07-521** - Consideration of M37-284-06, a Measure 37 claim authorizing Robert and Betty Janzen to make application to establish a dwelling on each of two ten-acre lots.

Mr. Brandt read the operative part of the order, noting that the property was zoned EF-40 at the time of purchase. Ms. Stern moved approval of the order. The motion passed, Commissioners George, Stern, and Lewis voting aye.

29. **B. O. 07-522** - Consideration of M37-285-06, a Measure 37 claim authorizing Robert and Betty Janzen to make application to establish a dwelling on ten acres.

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

30. **B. O. 07-523** - Consideration of M37-286-06, a Measure 37 claim authorizing Martin Rieder and Connie Yokoshima to make application to divide 106.4 acres into lots of one to five acres each and to establish a dwelling on each vacant lot.

Mr. Brandt read the operative part of the order, noting that the property was zoned Agriculture A at the time of purchase. Ms. Lewis moved approval of the order and explained what would be allowed under the Ordinance 29 interpretation. The motion passed, Commissioners George, Stern, and Lewis voting aye.

31. **B. O. 07-524** - Consideration of M37-287-06, a Measure 37 claim authorizing Brentano and Schwartz to make application to divide 55 acres into five-acre lots and to establish a dwelling on each vacant lot.

Mr. Brandt read the operative part of the order, noting that the applicants could only apply for a retirement separation because the property was zoned EF-40 at the time of purchase. Ms. Lewis moved approval of the order. The motion passed, Commissioners George, Stern, and Lewis voting aye.

32. Consideration of M37-289-06, a Measure 37 claim authorizing John Bernards to make application to divide 92 acres into two lots and to establish a dwelling on the vacant lot. *[Continued to June 20, 2007.]*

Mr. Brandt requested that the item be continued to allow him to discuss an issue with Mr. Gray. Ms. Stern moved to continue the item to June 20, 2007. The motion passed, Commissioners George, Stern, and Lewis voting aye.

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

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

- a. **B. O. 07-525** - February 21, 2007;
- b. **B. O. 07-526** - March 14, 2007;
- c. **B. O. 07-527** - March 28, 2007;
- d. **B. O. 07-528** - April 11, 2007;
- e. **B. O. 07-529** - April 18, 2007;
- f. **B. O. 07-530** - April 25, 2007; *[Approved with amendments as necessary.]*
- g. **B. O. 07-531** - May 9, 2007. *[Approved with amendments as necessary.]*

Ms. Lewis moved approval of items D(1)(a) through D(1)(e). The motion passed, Commissioners George, Stern, and Lewis voting aye. Ms. Lewis discussed some possible amendments to the remaining minutes and requested that the audio recording be reviewed by staff. She moved approval of items D(1)(f) and D(1)(g) with amendments if necessary. The motion passed, Commissioners George, Stern, and Lewis voting aye.

2. **B. O. 07-532** - Consideration of approval of informal session minutes from January 29, 2007.

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

3. Consideration of a request by D. Kent Lloyd for a letter in support of the nomination of the late Coach Dewey Sullivan to Western State College's Hall of Fame. [*Consensus: Ms. Stern will draft a letter.*]

4. Consideration of a request for support of a minority report on a legislative bill regarding the redevelopment of manufactured home parks. [*Ms. Lewis will draft a letter for the Board to review.*]

5. Discussion of a potential meeting with Senator Gary George and the Department of Environmental Quality (DEQ) regarding the closed Newberg Landfill. [*No action taken at this time.*]

The Board discussed the possibility of setting up a meeting with DEQ and agreed to wait until after the legislative session closes.

6. Discussion of the Urban Reserve Area process for the City of Newberg. [*No action taken.*]

Ms. Lewis explained that thirty acres of exception land in northeast Newberg are being considered for expansion of the Urban Reserve Area, but the majority of residents in that area are opposed to the idea and are frustrated that members of the Newberg Urban Area Management Commission seem unwilling to listen to their concerns. She expressed her own frustration that Goal 1 favors neighbors trying to stop property owners from doing something with their land, but doesn't seem to give any weight to the property owner's wishes. She stated that she plans to introduce a bill to the legislature during the 2008 session and will tell the City of Newberg that she doesn't want the Board to hold any hearings on the URA application until she sees whether or not the bill is approved.

E. **PUBLIC HEARINGS:** None.

F. **ANNOUNCEMENTS:**

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

- a. Commission on Children & Families, three lay alternate position and one youth position;
- b. Local Alcohol and Drug Planning Committee, three positions;
- c. Road Improvement Advisory Committee, one position.

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

MINUTES Yamhill County Board of Commissioners

Page 9

June 13, 2007 9:00 a.m.

Formal Session

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- 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 10:30 a.m.

Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair KATHY GEORGE

Commissioner MARY P. STERN

Commissioner LESLIE LEWIS