

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 August 27, 2008 at 9:00 a.m. in Room 32 of the Courthouse, Commissioners Mary P. Stern, Leslie Lewis, and Kathy George being present.

Also present were John M. Gray, Jr., County Counsel; Rick Sanai, Assistant County Counsel; Laura Tschabold, Administrative Services Director; John Krawczyk, Budget Officer; Kris Bledsoe, 3500 SW Redmond Hill Rd, McMinnville; Darrell Flood, 287 Canyon View Dr, Lafayette; and Esther Flood, 210 Canyon View Dr, Lafayette.

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. None offered.

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

Contracts/Grants

1. Approve modifications of agreement between the Commission on Children & Families and the following providers for Community Progress Team services, \$6000, retroactive to July 1, 2008 through June 30, 2009:

- a. **B. O. 08-560** - Dayton CODE 1;
- b. **B. O. 08-561** - LINCS (Sheridan).

2. **B. O. 08-562** - Approve Intergovernmental Agreement #13128 between HHS Public Health and Lane County for online food handlers’ training and testing, retroactive to August 1, 2008.

3. **B. O. 08-563** - Approve Service Element Prior Authorization (SEPA) Approval Unit #293727 for the 2007-09 Financial Assistance Agreement #119951 between HHS and Oregon Department of Human Services.

4. **B. O. 08-564** - Approve an agreement between HHS Family & Youth and Willamina School District, provider, for mental health counseling services, not to exceed \$29,558, retroactive to August 18, 2008 through June 12, 2009.

5. Approve the following amendments between Yamhill County and Oregon Economic & Community Development Department to extend the completion date of the HHS Adult Services Treatment Building to March 31, 2009:

a. **B. O. 08-565** - Amendment #2 to extend Community Development Block Grant Project C05023;

b. **B. O. 08-566** - Amendment #3 to extend Special Public Works Fund Project K06002.

6. **B. O. 08-567** - Authorize a grant application to U.S. Fish & Wildlife Services through the Oregon Department of Agriculture for funding to develop a Habitat Conservation Plan, approximately \$390,000.

#### Economic Development

7. **B. O. 08-568** - Authorize a payment of \$5000 from the Economic Development Fund to the McMinnville Downtown Association in lieu of economic improvement district assessments.

8. **B. O. 08-569** - Authorize a payment of \$150 per bus shelter from the Economic Development Fund to cities for installation costs.

#### Fees

9. **B. O. 08-570** - Adopt the following Public Works fee schedule for special event permits:

0-100 participants	\$50 deposit
100-500 participants	\$500 deposit
Over 500 participants	\$1500 deposit

C. **OLD BUSINESS:** None.

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

1. Consideration of approval of a request from Western Oregon Waste to initiate a rural recycling collection pilot program. *[Continued to September 3, 2008 pending further information.]*

Ms. Stern recused herself from the discussion because her husband is employed at Western Oregon Waste (WOW). Ms. Lewis stated that there was some initial confusion as to what exactly is being requested, but WOW wants to begin establishing zones in anticipation of a future recycling pilot program. Ms. George explained that the pilot program wouldn't start until next year, but WOW wants to make sure the Board is supportive of the project before investing additional time and resources in gathering information. She said that only the zones getting additional service should be affected by new rates.

Ms. George moved approval of the request to initiate a rural recycling pilot program. John Gray suggested that the matter be tabled for a week so he can look it over, since it doesn't appear to be time sensitive. Ms. George stated that the motion may need to be reworded to be less confusing, since the program wouldn't start until next year. She withdrew her motion until more information is available.

2. **B. O. 08-571** - Consideration of ratifying the Solid Waste Advisory Committee's denial

of a request from Newberg Garbage Service to add a new line item on its rate sheet for de-ink reject landfill material.

Ms. Stern moved to ratify SWAC's denial of the request, explaining that the change should take place on next year's rate sheet adjustment. The motion passed, Commissioners Stern, Lewis, and George voting aye. Ms. Lewis noted that the issue may be moot by next year anyway if Agriplast can burn the de-ink material.

3. **B. O. 08-572** - Consideration of approval of grant agreement #GRNT0190 between the Juvenile Department, grantee, and Oregon Youth Conservation Corps for the 2008 summer work program, \$11,111.

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

4. Consideration of reconsidering the Board's action to rescind Board Order 08-554, an agreement between the Board of Commissioners, the Fair Board, and Joseph McGanty for Fairgrounds Security Attendant services. *[Continued to September 3, 2008; County Counsel to prepare a revised agreement.]*

Ms. George stated that she had received additional information since the Board's action to rescind the agreement and is confident that the facts of Mr. McGanty's employment and ability to stay on the fairgrounds property don't support her impressions of the previous week and the action to rescind may have been taken in haste. She said that although this is a really a Fair Board decision, she wishes that the Board had been given more information at the time.

Ms. Stern stated that after speaking with Al Westhoff and Community Corrections staff, she believes that the county can work out additional provisions to the contract that would alleviate most of the liability issues. She pointed out that rescinding the Board's previous rescission would result in the original contract going back into effect, so she would prefer to hold off on any action until the new contract is ready for adoption. She added that she would also like to get Ted Smietana's input first. John Gray stated that until the new contract is adopted, Mr. McGanty would be considered a holdover tenant.

Ms. Lewis moved to continue the item to September 3, 2008. She expressed her appreciation to Commissioners Stern and George for their willingness to work on this, stating that Mr. McGanty is fully committed to staying clean and sober and has made a good impression on a lot of people at the fairgrounds.

Regarding the subject of disclosing Mr. McGanty's criminal background, Ms. Lewis explained that she had previously been coached by Mr. Gray not to discuss people's records publicly and she had been operating on limited information. She stated that there probably should have been some direction given to Mr. Sanai to brief the other commissioners about it individually and said that she would find a way to share the information discreetly if such a situation should arise in the future. She stated that she believes strongly in giving individuals the

opportunity to become members of society again after serving their time.

Ms. Stern stated that if a background check had been done right away, it would have raised red flags that would have prompted Ms. Lewis to share the information with the other commissioners off the record. She said that she has talked to Al Westhoff about making background checks a standard practice for employment at the fairgrounds. She explained that one of her worries is that going from a safe, supervised environment to an unsupervised environment at the fairgrounds could have a negative impact on Mr. McGanty's recovery. She emphasized that her motivations are not in any way political, but arise out of a legitimate concern for the best interest of the county.

After further discussion, the motion to continue the item passed, Commissioners Stern, Lewis, and George voting aye. Ms. George agreed with Ms. Stern's desire to have safeguards in place and handle things more professionally at the fairgrounds and pointed out the wisdom in learning from mistakes and moving on.

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 full members and two alternate members;
  - b. Parks & Recreation Board, two positions;
  - 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](mailto:Sally.Lawson@state.or.us).

The meeting adjourned at 9:35 a.m.

Anne Britt  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

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Chair MARY P. STERN

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Commissioner LESLIE LEWIS

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Commissioner KATHY GEORGE