

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 October 12, 2017, at 10:00 a.m. in Room 32 of the courthouse, Commissioners Mary Starrett, Stan Primozich, and Richard L. “Rick” Olson being present.

Also present were Ken Huffer, Deputy County Administrator; Christian Boenisch, County Counsel; Todd Sadlo, Senior Assistant County Counsel; Mikalie Frei, County Counsel staff; Brad Berry, District Attorney; Nicole Montesano, News-Register.

Commissioner Primozich called the meeting to order at 10:00 a.m. The invocation was offered by Pastor Tim English, from Church on the Hill.

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.

Jason Weyand shared his concerns about the union contract. He said he is disappointed that Yamhill County pays less to its employees than surrounding counties. Mr. Weyand said people shouldn’t have to move to get better pay and if the county continues to under pay employees then the county will not be able to have the same quality of life that brought him and his family to Yamhill County. He asked the Board to consider settling with a fair contract.

Tammy Story said she loves what she does and where she works. Ms. Story read a letter submitted by another county employee who could not attend the formal session.

Tammy Garvey asked the Board to reconsider their position and settle with a fair contract. She said a 6% cost of living adjustment (COLA) over three years is not too much to ask for.

Jill Olson stated she has worked for the county for 34 years and she enjoys her job and her coworkers but that the work environment has changed drastically in the last ten years. Ms. Olson urged the Board to settle the contract fairly and consider conducting a wage study.

Susan DeBolt said in the years she has been an employee of the county there has never been a wage study completed in her office. Ms. DeBolt stated her office has three current vacancies and they have not

had a full staff in eight years. She asked the Board to approve a wage study for departments whose wages are below average in comparison with other counties.

Annette Madrid stated she has worked for the county for over 21 years and she loves her job and working for county. She encouraged the commissioners to visit the departments and said that they are not the enemy.

Lindsey Lopez stated she has been a registered nurse in the public health for one year. She said she took a large pay cut when she came to work for the county but that the cut in pay was compensated by the benefits package offered by the county. Ms. Lopez expressed her concerns that because she works 32 hours a week she is not eligible for the low cost premium benefit package. Ms. Lopez said her department sees consistent vacancies.

James Craver said he puts in overtime consistently and works Saturdays because his department is shorthanded and he is not able to take the time to come visit the commissioners. Mr. Craver said it is discouraging to go to work every day without a contract. He stated he works hard and is committed to his job and would like the Board to encourage the bargaining team to settle on a fair contract.

Josh Rojas read a letter to the Board.

**B. CONSENT AGENDA:** Commissioner Starrett moved to approve the consent agenda. The motion passed unanimously, Commissioners Primozych, Olson and Starrett voting aye.

#### Minutes

1. Approval of the following minutes:
  - a. **B.O. 17-404** - Work Session September 12, 2017;
  - b. **B.O. 17-405** - Informal Session September 12, 2017;
  - c. **B.O. 17-406** - Formal Session September 14, 2017;
  - d. **B.O. 17-407** - Informal Session September 19, 2017; and
  - e. **B.O. 17-408** - Formal Session September 21, 2017.

#### Contracts

2. **B.O. 17-409** - Approval of Amendment #1 to agreement #154134 between Yamhill County Public Health and the Oregon Health Authority (B.O. 17-225) for \$86,600 effective July 1, 2017 through June 30, 2018.
3. **B.O. 17-410** - Approval of a copier lease agreement between Yamhill County Clerk's office and US Bank (equipment lessor for Copytronix) for a term of 36 months at the rate of \$337.82 per month.
4. **B.O. 17-411** - Approval of a change order to the Maintenance Improvement Project (MIP) list.
5. **B.O. 17-412** - Approve Amendment # 1 to the agreement between Yamhill County and Mainline Paving, LLC (B.O. 17-264) for the Yamhill County 2017 Road Paving and Overlay Project.

Surplus

6. **B.O. 17-413** - Declare a list of computers and equipment from the Information Technology Division as surplus property to be distributed to local school districts per policy.

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C. **OLD BUSINESS:** None.

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

1. **B.O. 17-414** - Consideration of approving Amendment #1 to the Purchase, Sale and Donation Agreement between Yamhill County and the Union Pacific Railroad Company for the purchase of a transportation corridor (B.O. 17-336), effective upon execution of both parties.

Commissioner Starrett expressed her concerns regarding the pending litigation. Commissioner Primozich moved to approve item D(1), Commissioner Olson seconded the motion. The motion passed, Commissioners Primozich and Olson voting aye, Commissioner Starrett voting nay.

2. **B.O. 17-415** - Consideration of approving Visit McMinnville's request for \$6,000 for the Community Wayfinding Project. [Amended motion.]

Commissioner Olson moved to amend the motion to approve the grant for \$2,000. Commissioner Starrett expressed her concerns regarding funding a sign project after denying a previous city's request. Commissioner Primozich said he is in favor of approving the grant and feels participation from the county is important because the signs will identify routes within the city for places that are highly utilized. Commissioner Olson moved to approve item D(2) with the amended motion to grant \$2,000. The motion passed, Commissioner Olson and Primozich voting aye, Commissioner Starrett voting nay.

3. **B.O. 17-416** - Consideration of approving a letter of support for the City of McMinnville's Department of Land Conservation and Development Technical Assistance grant to conduct a Buildable Lands Inventory and Housing Needs Analysis.

Commissioner Starrett moved to approve item D(3), Commissioner Olson seconded the motion. The motion passed unanimously, Commissioners Primozich, Starrett and Olson voting aye.

4. **B.O. 17-417** - Consideration of an appeal of the demotion of Woody Little.

Commissioner Primozich moved to deny the appeal and uphold and affirm the decision of the Sheriff. The motion passed, Commissioner Starrett, Primozich and Olson voting aye.

5. **B.O. 17-418** - Consideration of approving Resolution 17-10-12-1 proclaiming October 15 - 21, 2017, as the 12th Annual Hands and Words are not for Hurting Week in Yamhill County.

Commissioner Starrett moved to approve item D(5). The motion passed unanimously, Commissioners Primozych, Starrett, and Olson voting aye.

E. **PUBLIC HEARINGS:**

1. A request to install a gate on a public road - Smith Road, CR #142- at the request of the residents, under ORS 368.056.

Commissioner Primozych opened the public hearing at 10:48 a.m. Commissioner Starrett recused herself from the hearing due to being a resident on Smith Road.

Todd Sadlo, Senior Assistant County Counsel, stated the gate was requested by the residents of Smith Road under ORS 368.056.

Proponents- Christopher Best said he is speaking on behalf of himself, family and neighbors. He discussed the abandoned portion of their road that is in Clackamas County and the problems they have with drivers speeding. Mr. Best said the road was not intended to be a main road but to be used as an access road to the residents. He stated the road is quite narrow and does not allow for two vehicles to pass at the same time.

Michelle Radke said the road is being utilized as a pass-through to avoid traffic by people who do not live on Smith Road. She stated the road is narrow with many blind corners and trees making the speeding cars even more dangerous to the residents and their families. Ms. Radke said she would feel a lot safer walking her pets and children playing on the road if they were allowed to minimize the traffic by installing the gate. She expressed her frustration of paying for maintenance on the road that has growing excess traffic outside of resident usage.

Robert Hitemann stated he concurs with the previous statements. He expressed his concerns regarding the expense to the residents to maintain the road that is being highly used by non-residents and his concerns regarding the safety of the residents and their families.

Opponent - Steve Greg stated he sympathizes with the neighbors' concerns about safety but he is worried the gate will cause him to lose accessibility to a portion of his property. He also discussed the possibility of the gate creating a garbage dumping site and stated that if the gate is approved he does not want the gate on his property.

Staff Report - Bill Gille, County Engineer, noted John Phelan, Yamhill County Public Works director's letter of support for the installation of a privacy gate on Smith Road. Mr. Gille clarified Mr. Greg's concerns about accessibility, he said the Board's action today is only in regards to the installation

of a gate and will not change the status of the road. The road will remain a public road and will not affect Mr. Greg's access rights.

The public hearing closed at 11:07 a.m.

Commissioner Olson stated that he would like verification regarding the section of Smith Road that has allegedly been vacated by Clackamas County and if they have approved installation of a gate on their section of Smith Road. Commissioner Olson said he would like more time to research how the gate on Smith Road could potentially impact the new Fox Hill subdivision as well. Commissioner Primozych agreed with the concerns discussed by Commissioner Olson reiterating that it is important to clarify the status of the road with Clackamas County prior to rendering a decision.

The public hearing was reopened at 11:13 a.m. for additional public comment.

TJ Kleikamp stated the newest county maps no longer show Smith Road as a part of Clackamas County. Mr. Kleikamp shared with the Board an incident that took place three years ago that required police assistance and a Clackamas County Sheriff was unable to locate the area due to lack of accurate navigation and mapping.

The public hearing closed at 11:15 a.m.

Staff Recommendation – In response to the request for additional information by Commissioner Olson and Commissioner Primozych, staff recommended a schedule for the record to remain open until November 9, 2017 at 10:00 a.m. for submittal of written comment. The public hearing will be continued until November 9, 2017 at 10:00 a.m., Room 32 of the Yamhill County Courthouse, for deliberation.

**F. ANNOUNCEMENTS:**

1. For information on county advisory committee vacancies, please refer to the county's website, [www.co.yamhill.or.us/content/volunteer-opportunities](http://www.co.yamhill.or.us/content/volunteer-opportunities), or call the Board of Commissioners' office at 503-434-7501 or 503-554-7801 (toll-free from Newberg).

For questions regarding accessibility or to request an accommodation contact the Board of Commissioners' office at (503)-434-7501 or (503)-554-7801 (toll-free from Newberg) or email at [coxcr@co.yamhill.or.us](mailto:coxcr@co.yamhill.or.us)

The meeting adjourned 11:17 a.m.

Crystal Cox  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

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Chair Stan Primozich

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Commissioner Mary Starrett

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Commissioner Richard L. "Rick" Olson