

**INFORMAL MINUTES**

**November 5, 2007**

2:00 p.m.

Oval Office

PRESENT: Commissioners Kathy George, Mary P. Stern, and Leslie Lewis.

Staff: John M. Gray, Jr., John Krawczyk, Laura Tschabold, Chris Johnson, Michael McNickle, Rick Sanai, Murray Paolo, Jack Crabtree, Ken Summers, and Dan Linscheid.

Guests: David Bates, News-Register; Bruce & Andrea Sahagian, PO Box 351, Dayton.

---

\* indicates item forwarded to formal agenda

Kathy called the meeting to order. Chris Johnson introduced Michael McNickle, the new Public Health Manager.

\* Personnel - John K presented personnel requests from various departments. See agenda for details.

\* Contracts/Grants - See agenda for details.

John K explained that the county is required by the Government Accounting Standards Board (GASB) to do an actuarial study, which will cost about \$8000, because the county offers medical benefits to employees after retirement. He stated that the medical benefits are paid for by the employees and the study will not provide any useful information or contribute to a better financial picture for the county. The Board discussed the possibility of writing a complaint about the requirement to the legislature, the National Association of Counties (NACo), and others.

\* Minutes - Approve formal session minutes from October 24, 2007.

Noise Ordinance - Rick Sanai stated that he had prepared a draft ordinance at the request of the Board to provide the county some control over rural residents engaging in unreasonable and sometimes malicious noisemaking. He reviewed the details of the draft and explained the discretionary standard of enforcement. He said that the noise ordinance would include a reference to the county's citation ordinance and Sheriff's Office deputies and sergeants would need to be trained in order to understand the intent of the Board. Jack Crabtree stated that he doesn't want to intrude in people's lives any more than necessary and no citations would be issued without a sergeant's approval. Rick stated that he didn't envision more than one or two citations per year being issued. He added that the ordinance would allow the sheriff to issue a variance for a fee of up to \$200 to cover administrative costs.

Leslie and Kathy suggested removing the time restrictions and enumeration of noise sources and just having the "unreasonable" standard. Rick explained that the detailed examples give the circuit court judge a context for determining legislative intent. He stated that if the ordinance is too vague, it won't withstand the "constitutional vagueness challenge" or the "time,

place, and manner challenge.” Mary added that this draft was modeled after Washington County’s noise ordinance, which has been working well since it was passed in 2005.

Bruce & Andrea Sahagian provided information about their ongoing conflict with a neighbor over noise disturbances. After further discussion and suggestions for changing the proposed ordinance, the Board agreed to hold a public hearing at 9:00 a.m. on November 28, 2007 before adopting the ordinance.

\* Road Vacation - Consideration of approval of Public Works Docket RV-5-2007, a petition for the vacation of Fig, Elm, and Date Streets between Burns Road and Fourth Street and all of Fifth Street northerly of Cherry Avenue in Whiteson, petitioners Roger and Barbara Egan, no hearing necessary under ORS 368.341.

\* Refund - Authorize a refund from Health & Human Services to Blue Cross Blue Shield, \$579.

Committees - The Board acknowledged the resignation of Dale Stepper from the Commission on Children & Families.

AOC Conference - The Board discussed details of the upcoming Association of Oregon Counties annual conference. They agreed to not be involved in the product tasting event this year. Kathy and Mary will bring door prize items for the Friday morning breakfast.

Excise Tax - Mary stated that the business managers and superintendents of the school districts will all be involved in a conference this week, which conflicts with the town hall meeting scheduled by the Board for Thursday afternoon to discuss implementation of SB 1036. The Board agreed to go ahead and hold the meeting with city managers and possibly schedule another meeting at a later date. John G stated that he would use Washington County’s intergovernmental agreement as a model agreement for discussion.

Rail Feasibility - Leslie stated that IBI Group was selected as the company to do the rail feasibility study. She explained the changes from the initial study proposal and the reasons for choosing IBI Group.

Homelessness - Kathy stated that a committee has been formed and will be meeting monthly to develop a ten-year plan to end homelessness in the county. She said that the goal is to have a homeless count by this winter to determine the extent of the problem and to hold a summit in spring or early summer, similar to the Meth Summit that was held previously.

The meeting adjourned at 3:33 p.m.

Anne Britt  
Secretary