

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 November 10, 2016, at 10:00 a.m. in Room 32 of the courthouse, Commissioners Mary Starrett, Stan Primozych and Allen Springer present.

Also present were Ken Huffer, Deputy County Administrator; Christian Boenisch, County Counsel; Todd Sadlo, Senior Assistant County Counsel; Stephanie Armstrong, Planning Staff; Lance Woods, Planning Staff; Silas Halloran-Steiner, HHS Director; Dave Adams, KLYC Radio; Nicole Montesano, News-Register; Barry Lilly, 629 NW Jason Ct., McMinnville; Rick Olson; Robert Gillette, 20700 Parry Rd., Falls City; William Blair, 1016 E Ellendale Ave., Dallas; Charlie Cubel, and Bryan Schmidt, 7580 NE Hendricks Rd., Carlton.

Commissioner Starrett called the meeting to order at 10:00 a.m. Invocation was offered by Sally Ivey.

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.

Bryan Schmidt discussed the requirement of an impact study for the proposed bike path.

B. **CONSENT AGENDA:** Commissioner Springer moved approval of the consent agenda as presented. The motion passed unanimously, Commissioners Starrett, Primozych and Springer voting aye.

Minutes

1. Approve the following minutes:
 - a. **B.O. 16-453** - October 4, 2016, informal session;
 - b. **B.O. 16-454** - October 11, 2016, informal session;
 - c. **B.O. 16-455** - October 25, 2016, work session;
 - d. **B.O. 16-456** - October 25, 2016, informal session; and
 - e. **B.O. 16-457** - October 27, 2016, formal session.

Contracts

2. **B.O. 16-458** - Approve a contract employment agreement between Yamhill County Health and Human Services (HHS) and Karen Peters, retroactive to November 9, 2016.
3. **B.O. 16-459** - Approve a contract employment agreement between Yamhill County HHS

and Gayle Woosley, retroactive to November 9, 2016.

4. **B.O. 16-460** - Approve Amendment #4 to the employment agreement between Yamhill County HHS and Lisa Rivera, retroactive to November 9, 2016.
5. **B.O. 16-461** - Approve Amendment #4 to the employment agreement between Yamhill County HHS and Jannell Werner, retroactive to November 9, 2016.
6. **B.O. 16-462** - Approve Amendment #1 to an agreement between Yamhill County and Jonas Company for the Whiteson Landfill Regrading Project extending the contract through June 30, 2017 and adds \$64,720 for additional soil and related work.
7. **B.O. 16-463** - Authorize Facilities Maintenance to accept a proposal from Will Reber Excavating, Inc. for the Spence House Sewer and Lateral Project in the amount of \$15,200.

Loans

8. **B.O. 16-464** - Approve a Board Order in the Matter of the Authorization of an Internal Loan to Pay Off Business Oregon Infrastructure Finance Authority loan #K06002.

C. **OLD BUSINESS:** None.

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

1. **B.O. 16-465** - Consideration of the adoption of an ordinance in the matter of Governing the Procedures for Conduct of Board Meetings and the Transaction of County Business; repealing Ordinance 868 (B.O. 11-605) and declaring an emergency.

Commissioner Primozich moved approval of item D(1). The motion passed unanimously, Commissioners Starrett, Primozich and Springer voting aye.

2. **B.O. 16-466** - Consideration of approval of the notice of intent to award the 1427-1437 NE 27th Street duplex renovation project to Integrity Builders, Inc. in the amount of \$172,596.00.

Commissioner Starrett moved approval of item D(2). The motion passed unanimously, Commissioners Starrett, Primozich and Springer voting aye.

E. **PUBLIC HEARINGS:**

1. Docket FT-01-16 (SA): An appeal of the Planning Director's approval of a forest template dwelling; applicant: Bill Blair. ***[Tentatively approved; final written decision, conditions and findings to be adopted on December 1, 2016.]***

Commissioner Starrett opened the public hearing at 10:15 a.m.

There being no abstentions or objections to jurisdiction, Mr. Sadlo read the land use statement regarding the requirements that parties must raise all issues at the public hearing or

waive their right to raise the issues on appeal.

Staff Report - Stephanie Armstrong presented the staff report providing a briefing on the parcel located at NW Williams Canyon Road, Gaston.

Proponents - Robert Gillette and William Blair provided a brief description of the property and presented a slide show of photos of the parcel. Commissioner Starrett asked them to address road access for emergency vehicles. Mr. Blair explained fire plan and road access.

Opponents - Charlie Cubel stated that his main concern is not so much the road access but any movement made to it that will cause land erosion problems and run down hill onto his property making a mud hole and said that there has been a lack of communication from Mr. Blair. Commissioner Springer encouraged him to communicate better with his neighbor to be able to find a way to deal with the issue. Commissioner Starrett added that Mr. Cubel has very reasonable concerns and encouraged him to come to an agreement with Mr. Blair moving forward so that he is not left at odds.

Public Agency Reports - Ms. Armstrong stated that there were no public agency reports.

Rebuttal - Mr. Blair said that this was the first he had heard about water running onto Charlie Cubel's property and agreed to be in better communication with Mr. Cubel.

Staff Recommendation - Based on the findings and conclusions from the Planning Department, the staff recommendation is to approve the request by William Blair for a forest template dwelling with stated conditions.

Commissioner Starrett closed the public hearing at 11:15 a.m. for deliberation. Commissioner Springer noted that he is very please with the Planning Department and their adequate requirements, adding that he is satisfied with the overall process. Commissioner Starrett said that she has great confidence in the Planning Department and knows they are not quick on the draw when it comes to reviewing applications because it could effect one's property. She encouraged the proponents Robert and William to keep communication with Mr. Cubel on updates. Commissioner Primozych said he is pleased to see them come to a reasonable solution amongst themselves. Commissioner Springer moved approval of the Planning Director's decision to approve the application. There was no further discussion. The motion passed unanimously, Commissioners Starrett, Primozych and Springer voting aye. Mr. Sadlo noted that the final written decision, conditions and findings are to be adopted on December 1, 2016.

F. **ANNOUNCEMENTS:**

1. For information on county advisory committee vacancies, please refer to our website, 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 please contact the Board of Commissioners' office 48 hours in advance of the meeting at (503)-434-7501 or (503)-554-7801 (toll-free from Newberg) or email at mendezl@co.yamhill.or.us.

The meeting adjourned at 11:21 a.m.

Lucy Flores Mendez
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY STARRETT

Commissioner STAN PRIMOZICH

Commissioner ALLEN SPRINGER