

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 February 27, 2020, at 10:00 a.m. in Room 32 of the courthouse, Commissioners Casey Kulla, Mary Starrett and Richard L. “Rick” Olson being present.

Also present were Ken Huffer, County Administrator; Christian Boenisch, County Counsel; Todd Sadlo, Senior Assistant County Counsel; Nohely Barajas-Montalvo, Legal Assistant; Ken Friday, Planning Director; Stephanie Armstrong, Associate Planner; Nicole Montesano, News-Register; and others as listed on the sign-in sheet.

Welcome! Thank you for attending today's meeting. Public participation is encouraged. If you wish to address the Commissioners on any item not on the agenda you may do so as part of the public comment period at the beginning of the meeting. If you desire to speak on any agenda item please raise your hand to be recognized after the Chair announces the agenda item. Please fill out a public comment card to indicate your intent to speak.

A. CALL TO ORDER

Commissioner Kulla called the meeting to order at 10:00 a.m.

B. FLAG SALUTE

C. PUBLIC COMMENT: This time period is reserved for public comment on any topic other than: 1) agenda items, 2) A quasi-judicial land use matter, or 3) a topic scheduled for public hearing. The Chair may limit the length of individual comments.

There was no public comment received.

D. CONSENT AGENDA:

Commissioner Olson moved approval of items D1 through D3. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

Contracts & Grants

1. **B.O. 20-65** - Approval of an agreement between Yamhill County and John Sully, dba Sully Construction for the remodel of offices located at 330 NE Kirby Street, McMinnville in the amount of \$79,894.35.

2. **B.O. 20-66** - Approval of Grant Agreement #12788 between Yamhill County Department of Community Justice, Juvenile Division and the Oregon Department of Education, Youth Development Division for the funding of a .8 FTE Education Transition Specialist in the amount of \$165,621.42, effective for the 2019-21 biennium retroactive to October 1, 2019 through June 30, 2021.

3. **B.O. 20-67** - Approval for Yamhill County Parks to apply for an Oregon State Marine Board Facilities Grant for the transient dock retrofit at Rogers Landing.

E. OLD BUSINESS: None.

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

1. **B.O. 20-68** - Consideration of submitting a letter requesting amended language to HB 4001-7.

After discussion, Commissioner Starrett moved approval of item F1. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

G. PUBLIC HEARINGS:

1. Docket #L-36-19: An appeal of the Planning Director's denial of a property line adjustment. Applicant: Roger Grahn. Tax Lots: 3403-500, 3403-1301; 7131 Highway 240, Yamhill. Appellant: Roger Grahn.

Commissioner Kulla opened the public hearing at 10:15 a.m. There were no abstentions or objections to jurisdiction. There were no reports of ex-parte contact or site visits. Mr. Friday read the "raise it or waive it" statement required by ORS 197.763(5).

Staff Report: Stephanie Armstrong presented the staff report stating the applicant is seeking approval to increase the property line of tax lot 3403-1301 to increase the size of the tax lot which overlaps into tax lot 3403-500, which has been denied by the Planning Director given that the strip of land (3403-1301) was not lawfully created as a parcel according to zoning laws.

Applicant: Mr. Grahn gave public testimony related to the property line adjustment denial. He stated his intentions of increasing the property line to increase the sale potential of both tax lots.

Opposition Testimony: Kathryn Jernstedt gave public testimony in support of the Planning Director's denial.

Public Agency Reports: Ms. Armstrong stated there were no additional public agency reports.

Applicant Rebuttal: Mr. Grahn stated there are no effects on wetlands and the use of the land will remain as-is and only a change of line adjustments.

Staff Recommendation: Stephanie recommended upholding the Planning Director's denial of the application.

Commissioner Kulla closed the public hearing at 10:42 a.m.

Deliberations: The Board, Planning staff and Mr. Grahn participated in deliberations. Mr. Grahn clarified that he would like the parcel to remain open to permit for a dwelling/structure in the future, not for his own benefit, but potential buyers. Mr. Friday recommended a condition to allow a dwelling on tax lot #3403-500 if it could receive land use approval. Ms. Armstrong said there is no septic system for a second dwelling which is required for land use approval.

Commissioner Kulla moved to uphold of the Planning Director's denial of the property line adjustment application, subject to the findings of county counsel. The motion passed, Commissioners Kulla, Starrett and Olson voting aye. Mr. Sadlo stated that final written decision and findings will be ready for adoption on March 12, 2020 at 10:00 a.m. in Room 32 of the courthouse.

H. ANNOUNCEMENTS:

1. For information on county advisory committee vacancies, please refer to the county's website, <https://www.co.yamhill.or.us/content/board-commissioners-committees>, or call the Board of Commissioners' office at 503-434-7501 or 503-554-7801 (toll-free from Newberg).
2. 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 bocinfo@co.yamhill.or.us
3. Electronic versions of all meeting agendas and meeting information packets can be found at the county's website: <https://www.co.yamhill.or.us/meetings>

Following Commissioner announcements, the meeting adjourned at 11:35 a.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS


Chair CASEY KULLA


Commissioner MARY STARRETT


Commissioner RICHARD L. "RICK" OLSON

Accepted by Yamhill County
Board of Commissioners on
8/20/20 by Board Order

20-283