

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 combined session on May 12, 2022, at 10:00 a.m. in Room 32 of the Yamhill County courthouse and a virtual meeting via Zoom, Commissioners Casey Kulla and Mary Starrett being present. Commissioner Lindsay Berschauer participated via Zoom and requested that Commissioner Casey Kulla chair the meeting.

Also present were Justin Hogue, Deputy County Administrator; Christian Boenisch, County Counsel; Jodi Gollehon, Assistant County Counsel II; Lance Woods, Associate Planner; Patricia Rojas, Human Resources Manager; Derrick Wharff, County Tax Assessor; Ken Friday, Planning Director; and Megan Marasco, BOC Staff. Colton Totland, Assistant County Counsel and Ashley Watkins, Solid Waste & Recycling Coordinator participated via Zoom.

Guests: Stephen Sagmiller; Rochelle Roaden; Kile Jenkins; Gary Nelson; Mike Jefferies, Joe Hedrich; Jeannie Hedrich; Harold Lyon; Elizabeth Wytoski; Chris; and Linda McGrew. Dave Larmouth; Dean Kampfer, Denny Muchmore; Renata Wakeley; Sid Friedman; and Jackie Lang participated via Zoom.

*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 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. NEW – Public participation also includes the ability to attend Formal Session via Zoom. For attendees that are attending the meeting via Zoom, the Chair will ask if any Zoom attendees wish to provide public comment in same manner as provided above. At that time, attendees will be asked to use the “raise hand” function in Zoom and staff will unmute the participant. Meetings will also continue to be available for view via a live stream on the Commissioners’ You Tube channel. Written public comments may be submitted via email at [bocinfo@co.yamhill.or.us](mailto:bocinfo@co.yamhill.or.us).*

**Notice: The Board of Commissioners will hold an Executive Session immediately following combined session pursuant to ORS 192.660(2)(d) – Executive session to conduct deliberations with persons designated carry on labor negotiations.**

- A. **CALL TO ORDER:** Commissioner Kulla called the meeting to order at 10:04 a.m.
- B. **FLAG SALUTE**
- C. **CALENDAR SESSION:** This time is reserved for the review of the commissioner’s joint schedule (if needed).

The Commissioner's reviewed the joint schedule for the week of May 16 – May 22, 2022. No other county business was discussed.

**D. 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.

**E. DEPARTMENT UPDATES:**

a. Human Resources – Patricia Rojas

Ms. Rojas addressed departmental personnel changes, noting the HR Department is now located in the Spence House. She outlined projects that HR was participating in such as implementing NEOGOV for postings and recruitments, as well as Oracle for software updates. Ms. Rojas highlighted upcoming July involvement in the benefit and wellness fair planning for county staff as well as contract bargaining and benefit open enrollment.

**F. WORK SESSION:** This time is reserved for topics of discussion scheduled for the Commissioners in advance. If a work session is not needed, the balance of the meeting will begin at 10:00 a.m.

1. Work Session – None.

**G. CONSENT AGENDA:**

Commissioner Starrett moved approval of the consent agenda. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

Committees

1. **B.O. 22-146** - Approval of the appointment of Terry Hart to the Extension Service District (ESD) Budget Committee for a three-year term to expire June 30, 2025.

2. **B.O. 22-147** - Approval to appoint Keith Nasman and Jordan Anderson to the Roadside Vegetation Management subcommittee under Road Improvement Advisory Committee (RIAC) each for a two-year term to expire March 1, 2024.

Authority

3. **B.O. 22-148** - Authorize Lindsay Manfrin, HHS Director and other designated individuals to place CMHP Director holds on persons deemed dangerous to self or others, or mentally ill persons placed on conditional release, outpatient commitment or trial release, rescinding Board Order 21-371.

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**H. OLD BUSINESS:**

1. **B.O. 22-149** - Consideration of approval of a proposed rate increase of 7.3% as recommended by Yamhill County Solid Waste Department and the Solid Waste Advisory Committee (SWAC) for Waste Management of Newberg-Transfer Station, effective July 1, 2022. *[Continued from May 5, 2022].*

Gary Nelson and Mike Jefferies addressed the Board regarding the proposed Newberg transfer station rate increase. Mr. Jefferies stated the increase was in part to upgrades to facility operations to accommodate an increase of usage and overall inflation expenses. Commissioner Berschauer moved approval of item H1. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

2. **B.O. 22-150** - Consideration of approval of a proposed rate increase of 8.1% as recommended by the Solid Waste Advisory Committee (SWAC) for Waste Management of Newberg-Hauling, effective July 1, 2022. [*Continued from May 5, 2022*].

Mr. Jefferies associated the increase to overall inflation costs, noting there had been no rate increase since 2019. He added that an investment in technology had allowed them to minimize additional increases in recent years. Commissioner Starrett moved approval of item H2. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

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

1. **B.O. 22-151** - Consideration of approval of the lease agreement between Yamhill County and Yamhill Community Action Partnership retroactive to January 1, 2022.

Commissioner Starrett moved approval of item I1. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

2. **B.O. 22-152** - Consideration of approval in the matter of an order declaring certain tax foreclosed property as surplus, authorizing the sale of the property by private sale, and ordering distribution of proceeds.

Christian Boenisch stated this was a process that is used for properties valued at \$15,000 or less. Commissioner Kulla moved approval of item I2. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

3. **B.O. 22-153** - Consideration of approval of change order #2 to the agreement between Yamhill County and Integrity Builders (BO 21-448) extending the completion date to June 24, 2022.

Commissioner Starrett moved approval of item I3. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

4. Discussion regarding request to amend Yamhill County ordinance governing term limits of elected officials. (Commissioner Berschauer)

Commissioner Berschauer opened discussion regarding the legality of the county ordinance for term limits of elected officials. Assessor Derrick Wharff stated the issue had been discussed among "administrative" elected officials; his recommendation was to remove the Clerk, Assessor, Sheriff, and Treasurer from term limits as well, to retain qualified candidates. Christian Boenisch provided historical context of Ordinance 587 and its amendment, which removed the Surveyor position. He asked the Board for consensus to schedule a work session and/or a public hearing for further discussion. No action was taken.

**J. PUBLIC HEARINGS:**

1. **B.O. 22-154** - Docket # PA-02-21: Consideration of approval of an Urban Growth Boundary (“UGB”) land swap amendment as identified in Exhibit A to this notice. A Comprehensive Plan Map Amendment designating the parcels shown in yellow in Exhibit A as “Residential” on the City of Dayton Comprehensive Plan Map. Applicant: City of Dayton.

Commissioner Kulla opened the legislative public hearing at 10:51 a.m.

Applicant Comments - Kile Jenkins, Associate Planner with the Willamette Valley Council of Governments (WVCOG), presented testimony regarding an Urban Growth Boundary land swap amendment proposing the removal of 176 acres from the Dayton Urban Growth Boundary located north on Highway 18, partly to allow the city to pursue housing development opportunities, and the addition of approximately 102 acres in the southwest area between Highways 18 and 233.

Linda McGrew – Ms. McGrew provided verbal testimony asking for clarification regarding property zoning and tax rate changes. Ms. McGrew stated she owned 12 acres on Ash Road and considered developing and RV lot for up to 200 spots. Ken Friday noted that zoning would remain the same while the parcel was in the UGB and there would be no changes to development or taxes until it was annexed to the city. Mr. Jenkins commented there would be no forced annexations and any property developments would go through standard land use procedures.

Sid Friedman, Friends of Yamhill County, expressed support for the UGB amendment on behalf of FYC.

Appellant Comments - There was no testimony in opposition.

Staff Recommendation: Lance Woods stated the staff recommendation was to support the proposal based on it being consistent with the comprehensive plan.

The public hearing was closed at 11:26 a.m.

Deliberation – After discussion, Commissioner Kulla moved approval of item J1. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

**K. 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](mailto: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 11:39 a.m.

Carolina Rook  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

  
Chair \_\_\_\_\_ LINDSAY BERSCHAUER

  
Commissioner \_\_\_\_\_ CASEY KULLA

  
Commissioner \_\_\_\_\_ MARY STARRETT

Accepted by Yamhill County  
Board of Commissioners on  
6-30-2022 by Board Order  
# 22-199

  
LB CK MS