

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 July 06, 2023, at 10:00 a.m. in Room 32 of the Yamhill County courthouse, and in a virtual meeting via Zoom, Commissioners Lindsay Berschauer, Kit Johnston, and Mary Starrett being present.

Also present were Ken Huffer, County Administrator; Christian Boenisch, County Counsel; Derrick Wharff, Assessor; Gioia Goodrum, Economic Development Manager; Ken Friday, Planning and Development Director; and Carolina Rook, BOC Staff. Nohely Barajas-Montalvo, Legal Assistant, and Jason Foose participated via Zoom.

Guests: Michael Gelardi and Rob Hallyburton. FQStepanjr and Kathleen Sitton 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 [cocinfo@co.yamhill.or.us](mailto:bocinfo@co.yamhill.or.us).

A. CALL TO ORDER: Commissioner Berschauer called the meeting to order at 10:00 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 July 10 – July 16, 2023. 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.

There were no general public comments received.

E. DEPARTMENT UPDATES:

- a. Assessor's Office – Derrick Wharff

Derrick Wharff opened the discussion by explaining to the Board the variety of functions the Assessment and Tax Department performs. The functions include an assessor, tax collector and cartography and each of them run on an annual cycle.

Mr. Wharff provided a summary on number of revisions, new tax accounts, deferrals, exemptions, appeals, and the tax collection rate. He also said the annual tax statement includes language about a 3% discount for early pay. Lastly, he said as the department transitions into the second part of the year the focus will be on reappraisals.

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, Johnston, and Starrett voting aye.

Contracts and Grants

1. **B.O 23-255** - Approval of amendment #1 to an Agreement between Yamhill County Health and Human Services and Cole Collaborative Therapeutic Solutions, LLC (BO 22-269), increasing the rate of pay to \$82.36 per hour and increase the number of hours from 15 to 20 hours per week retroactive to July 1, 2023.
2. **B.O 23-256** - Approval of amendment #15 to Agreement #169533 between Yamhill County and Oregon Health Authority for Public Health Services (BO 21-248) removing \$16,859 in funding retroactive to May 1, 2023.
3. **B.O 23-257** – Approval of amendment #4 to an Agreement between Yamhill County Health and Human Services and Yamhill Community Care Organization (BO 20-457) increasing the funding amount for school-based services retroactive to July 1, 2023 through December 31, 2023.

Personnel

4. **B.O 23-258** – Approval to add a 1.4 FTE Health Specialist 3 for Qualified Mental Health Professional-Community Services (QMHP) to the Health and Human Services position management roster related to item G3.

H. OLD BUSINESS: None.

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

1. **B.O 23-259** - Consideration of approval Intergovernmental Agreement # PO-44000-00020619 between the Yamhill County Assessor's Office and The Department of Consumer Business Services to allow the Yamhill County Assessor's office to provide manufactured home ownership and title transfer services retroactive to July 1, 2023 through June 30, 2026.

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

2. **B.O 23-260** - Consideration of approval of Intergovernmental Agreement #180033 between Yamhill County, Local Public Health Authority, and the Oregon Health Authority for the financing of Public Health Services in the amount of \$1,148,882.29. retroactive to July 1, 2023 through June 30, 2025. Revision needed

Commissioner Starrett moved approval of item I2. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

3. **B.O 23-261** - Consideration of approval for Change Order #1 to agreement between Yamhill County and Hicks Striping and Curbing, LLC. (B.O. 22-309) in the amount of \$95,000.

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

The meeting was recessed at 10:32 a.m. and reconvened at 10:40 a.m.

J. PUBLIC HEARINGS:

1. Docket C-21-22: An appeal of the Planning Director's denial of a request for a conditional use to establish a short-term rental on a vineyard property. The applicant/appellant is Frank Quin Stepan, JR., represented by Mike Gelardi.

Commissioner Berschauer opened the public hearing at 10:42 p.m. There were no abstentions or objections to the jurisdiction of the hearing. There were no reports of site visits or ex-parte contact. Ken Friday read the "raise it or waive it" statement required by ORS 197.763 (5).

Staff Report: Ken Friday stated the applicant is seeking approval to use an existing dwelling as a short-term rental under the home occupation standards. The applicant is proposing to construct a dwelling on an adjacent property as a caretaker's residence and will need to satisfy the Yamhill County zoning ordinance related to the conditional use and home occupation standards.

Applicant: The applicant's attorney Michael Gelardi provided a brief history of some of the improvements that were made to the property. He also said the permit would provide supplemental income and tourism. The applicant Mr. Stephan said he submitted a letter into the record the previous day and then summarized the details of the letter for the Board. Mr. Stepan asked the Board to reverse the decision to deny the permit.

Opposition Testimony:

Rob Hallyburton a representative from Friends of Yamhill County provided testimony in opposition to the application.

Public Agency Reports: No additional public agency reports were received beyond what was submitted to the record.

Applicant Rebuttal: Mr. Gelardi walked the Board through new evidence that was submitted the prior day and highlighted potential policy issues. Mr. Stephan provided to the Board that the caretaker would have responsibilities outside of the vineyard.

Staff Recommendation: Director Ken Friday recommends denial of the applicant's request.

Commissioner Berschauer closed the public hearing at 11:14 a.m. Commissioner Berschauer reopened the public hearing at 11:16 a.m. to receive additional rebuttal by Mr. Gelardi and Mr. Stephan. The appellant waived their opportunity to provide rebuttal. Commissioner Berschauer closed the public hearing at 11:28 a.m.

Deliberations: After discussion, Commissioner Johnston moved to overturn the Planning Director's denial of the application and approve the conditional use request to operate as a short-term rental on a vineyard property. The motion passed, Commissioners Berschauer, Johnston and Starrett voting aye. Final written decision and findings to be ready for consideration of adoption on Aug 3, 2023.

THE RECORDS FOR PUBLIC HEARINGS CAN BE FOUND AT: <https://www.co.yamhill.or.us/content/public-hearing-notices>

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
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 11:51 a.m.

Nicole Necas
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS



Chair

LINDSAY BERSCHAUER



Commissioner

KIT JOHNSTON



Commissioner

MARY STARRETT

Accepted by Yamhill County
Board of Commissioners on
9.7.23 by Board Order
B.O. 23-353