

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 January 26, 2023 at 10:01 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, Gary Wertz, Fair Manager; Mike Kemper, Code Enforcement Officer; Carolina Rook, BOC Staff; and Jodi Gollehon, Assistant County Counsel II participated via Zoom.

Guests: Abisha Stone. Lee Schrepel 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.*

A. CALL TO ORDER Commissioner Berschauer called the meeting to order at 10:01

B. FLAG SALUTE

C. CALENDAR SESSION: This time is reserved for the review of the commissioner’s joint schedule (if needed).

The commissioners reviewed the joint schedule for the week of January 30 – February 2, 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 no public comments received.

E. DEPARTMENT UPDATES: None.

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

Personnel

1. **B.O. 23-25** Approval to authorize Leave Without Pay (LWOP) for employee #5108 retroactive to December 12, 2022 with an anticipated return to work date of January 5, 2023.

Committees

2. **B.O. 23-26** Approval of the appointment of Ryan Webb to the Road Improvement Advisory Committee (RIAC) for a three-year term to expire on January 26, 2026.

Fees

3. **B.O. 23-27** Approval of a revised fee schedule for the Office of Assessment and Taxation retroactive to January 1, 2023.

H. OLD BUSINESS:

1. **B.O. 23-28**- Consideration of approval of a Board Order in the matter of adopting findings for a prior decision denying a request for a vested rights determination and further denying an extension request for a Conditional Use Permit; Tax Lot #4315-700; Applicant: Manchester Solar, LLC. *[Continued from December 15, 2022].*

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

2. **B.O. 23-29**- Consideration of approval in the matter of an order authorizing the sale of tax foreclosed property by private sale and ordering distribution of proceeds (Tax Lot #R5926 00400). *[Continued from January 12, 2023].*

Commissioner Berschauer moved approval of item H2. The motion passed, Commissioners Berschauer, Johnston and Starrett voting aye.

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

1. **B.O. 23-30** - Consideration of approval of Grant Agreement #C2022542 between Yamhill County and the State of Oregon - Oregon Business Development Department for county fairground capital improvements in the amount of \$277,777 effective upon approval through May 4, 2025.

Fair Manager Gary Wertz said the funds from the agreement are allocated for a new roof and restrooms and that any unused funds will need to be returned. If the grant is approved the

roof should be completed prior to the 2023 fair. Commissioner Berschauer moved approval item I1. The motion passed, Commissioners Berschauer, Johnston and Starrett voting aye.

2. **B.O. 23-31** - Consideration of approval of a sealed bid for Tax Lot #R3205 00502.

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

3. **B.O. 23-32** - Consideration of approval of Amendment #2 to Agreement #166964 between Yamhill County and the Oregon Health Authority for the Nurse-Family Partnership Program (B.O. 20-406), reinstating the agreement and increasing funding by \$48,538.36 retroactive to September 30, 2022.

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

4. **B.O. 23-33** - Consideration of approval of Amendment #11 to Agreement #169533 between Yamhill County and the Oregon Health Authority (OHA) for the financing of Public Health Services (B.O. 21-248) awarding funding in the amount of \$284,950 effective through June 30, 2023.

Commissioner Berschauer moved approval of item I4. The motion passed, Commissioners Berschauer, Johnston and Starrett voting aye.

5. **B.O. 23-34** - Consideration of approval of Amendment #4 to Agreement #173153 between Yamhill County and the Oregon Health Authority for the financing of Community Mental Health, Addiction Treatment, Recovery, & Prevention, and Problem Gambling Services (B.O. 21-490) allocating funds in the amount of \$2,085,083.41 and extending the agreement retroactive to January 1, 2023 through June 30, 2023.

Commissioner Starrett moved approval of item I5. The motion passed, Commissioners Berschauer, Johnston and Starrett voting aye.

6. **B.O. 23-25** - Terminate the SEDCOR contract effective February 28, 2023, and work to stand up an in-house economic development position for the county.

Commissioner Starrett opened the discussion by informing that she is in favor of ending SEDCORs contract and asked if there were any non-disclosure agreements (NDA's). County Counsel confirmed there are no NDAs at this time. Commissioner Berschauer said she is in support of an in-house option because she believes that not every taxpayer benefits from programs such as SEDCOR. Commissioner Johnston also shared his support of an in-house economic development position and would also like to know which businesses currently have a membership with SEDCOR and what their memberships entail. Ken Huffer noted that it would take a minimum of six weeks to develop an in-house position.

After discussion, Commissioner Berschauer moved approval of item I6 to terminate SEDCORs contract effective February 28, 2023, and to work towards the creation of an in-house position. The motion passed, Commissioners Berschauer, Johnston and Starrett voting aye.

J. PUBLIC HEARINGS:

1. Public Nuisance – Consideration of an alleged violation of the Solid Waste Ordinance.
[Continued from January 12, 2023].

Due to a scrivener’s error in the notice, the hearing is moved to Feb 9, 2023.

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 Commissioners announcement, the meeting adjourned at 11:40 a.m.

Nicole Necas
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair LINDSAY BERSCHAUER

Commissioner KIT JOHNSTON

Commissioner MARY STARRETT