

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 February 9, 2023, at 10:00 a.m. in Room 32 of the courthouse and a virtual meeting via Zoom, Commissioners Lindsay Berschauer, Kit Johnston, and Mary Starrett being present.

Also present were Ken Huffer, County Administrator; Jodi Gollehon, Assistant County Counsel II; Derrick Wharff, County Assessor; Mike Kemper, Code Enforcement Officer; Jason Foose, County Surveyor; Susan Debolt, Assessor’s Office; Roxane Henderson, Assessor’s Office; and Carolina Rook, BOC Staff. Christian Boenisch, County Counsel; and Nohely Barajas, Legal Assistant participated via Zoom.

Guests: Tom Hammer and John Rickert. 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](mailto:bocinfo@co.yamhill.or.us).*

**A. CALL TO ORDER** Commissioner Berschauer 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 commissioners’ joint schedule (if needed).

The Commissioners reviewed the joint schedule for the week of February 13 – February 19, 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.

Tom Hammer – Informed the Board of a pending lawsuit challenging mail in voting and asked the Board to invite Mr. Thielman from the Special Districts Association of Oregon (SDAO) to a future formal session.

**E. DEPARTMENT UPDATES:**

- a. Assessment & Taxation – Derrick Wharff

Derrick Wharff and staff provided an update. Some notable achievements included: the Assessor’s office is leading the state in several business model initiatives; the county has collected over \$146 million or 90.59% of the 2022-2023 levied taxes; at one point in time the department had 200 accounts in special assessment for either farm or forest deferral which are now complete; 80% of staff’s time is spent on 20% of accounts not in compliance. Lastly, the department has an open position for an Appraiser III.

**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 –

- a. Review/discussion of Economic Development Strategic Planning Discussion.

Ken Huffer reviewed the Economic Development Program Manager general statement and duties with the Board. Commissioner Berschauer said that she would like to see the Mission and Vision statement simplified. After discussion, Mr. Huffer agreed to share a revised draft with the Board in the next meeting. The target date to post the employment notice is set for March 1, 2023.

- b. End of work session

**G. CONSENT AGENDA:** Commissioner Berschauer requested to have item G2 removed from the consent agenda. Commissioner Starrett moved approval of the consent agenda as amended. The motion passed, Commissioners Berschauer and Johnston voting aye.

Minutes

1. **B.O. 23-44-** a. September 8, 2022; Formal/Informal Session;  
**B.O. 23-45-** b. September 15, 2022; Formal/Informal Session;  
**B.O. 23-46-** c. September 22, 2022; Formal/Informal Session; and  
**B.O. 23-47-** d. September 29, 2022; Formal/Informal Session.

Committees

2. Approval of the appointment of Tim Duerfeldt to fill the Parks and Recreation Advisory Board. Commissioner Berschauer requested to have item G2 removed from the consent agenda.

[Item Removed. No action was taken]

**H. OLD BUSINESS:**

1. **B.O. 23-48**- Consideration of approval of a Board Order in the matter of adopting the Yamhill County Tax Foreclosed Property Management and Disposition Policy. [*Continued from February 2, 2023*].

Commissioner Berschauer moved approval of Item H1 with revisions, the motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

2. **B.O. 23-49**- Consideration of approval of a Board Order in the matter of adopting the Yamhill County Discrimination and Harassment Policy. [*Continued from February 2, 2023*].

Commissioner Berschauer discussed removing the phrase “elected officials” from the proposed new policy because elected officials are not employees subject to employee policies. Commissioner Berschauer instead proposed creating a code of conduct for the Board of Commissioners to follow. The motion passed, Commissioners Berschauer, Johnston and Starrett voting aye.

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

1. **B.O. 23-50**- Consideration of approval of a grant agreement between Yamhill County Health and Human Services and TDJC, LLC for the Sheridan Housing Project in the amount of \$163,992 effective for twelve months upon final execution.

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

2. **B.O. 23-51**- Consideration of approval of Amendment #1 to Agreement #173270 between Yamhill County and the Oregon Health Authority reinstating the Choice Model Service agreement and adding funding in the amount of \$98,334.97 retroactive to December 31, 2022 through June 30, 2023.

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

Recessed at 12:17 p.m. and reconvened at 12:23 p.m.

**J. PUBLIC HEARINGS:**

1. Public Nuisance – Consideration of an alleged violation of the Solid Waste Ordinance Commissioners [*Continued from January 26, 2023*].

Commissioner Berschauer opened the public hearing at 12:24 p.m.

The responsible party Marc O. Leigh was not present. After discussion, Commissioner Berschauer moved to find that a violation of the Solid Waste Ordinance exists on 15865 NW Berry Creek Rd, McMinnville, OR 9712; 2) ordered the property owner to abate the public nuisance within 30 days; 3) directed staff to seek a Writ of Assistance to enter the property and seek bids from cleanup contractors if the property is not abated within 30 days; and 4) directed staff to return to the Board for approval before proceeding with the abatement. The motion passed, Commissioners Berschauer, Johnston 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 1:20 p.m.

Nicole Necas  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

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Chair LINDSAY BERSCHAUER

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Commissioner KIT JOHNSTON

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Commissioner MARY STARRETT