

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 June 22, 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; Jodi Gollehon, Assistant County Counsel II; Keri Hinton, Clerk; Ken Friday, Planning Director; Jason Foose, Surveyor; and Nicole Necas, BOC Staff. Nohely Barajas-Montalvo participated via Zoom.

Guests: Bubba, Allen Holstein, Peter Siderius, Doreen Pith, Justin Lienallen, and Rae Parlier. Kathleen Sitton, Scott, and 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 10:00 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 June 26 – July 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.

- Peter Siderius expressed concerns regarding the handling of trails by the Board.
- Allen Holstein commented that he would like the Board to reconsider their decision on

the Chelalem Parks & Recreation District bridge proposal and other CPRD projects.

E. 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.

F. DEPARTMENT UPDATES:

1. Clerk’s Office – Keri Hinton

Keri Hinton provided high-level updates to the upcoming election season and voting equipment status. She addressed legislative house bills that are being followed that may affect upcoming state ballot measures and voting registration processes.

G. CONSENT AGENDA:

Commissioner Starrett moved approval of the consent agenda with an amended name change to item G1. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

Committees

1. **B.O. 23-229** - Approval to reappoint Craig Johnson, Jules Martinez Plancarte, and Amanda Schindelar to the Yamhill County Transit Advisory Committee, each for a three-year term to expire June 30, 2026.

Contracts & Grants

2. **B.O. 23-230** - Approval of grant agreement #35507 between Yamhill County Transit and the Oregon Department of Transportation (ODOT) Rail & Public Transportation Division for the 2023-25 biennium 5310 capital funds to support operating expenses in the amount of \$790,539, effective July 1, 2023, through June 30, 2025.

H. OLD BUSINESS: None.

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

1. **B.O. 23-231** - Consideration of approval for Health and Human Services to add a \$100 petty cash account (216-0000000-11301-0000) for the Eagle Point Apartments.

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

2. **B.O. 23-232** - Consideration of approval of Ordinance 927 amending the Yamhill County Public Contracting Rules, Adopting Findings in Support of New Class Special Procurements, Approving Contract Signing Authority; and setting effective dates.

Hearing no objections, Jodi Gollehon read the Ordinance into the record by title only twice. Commissioner Berschauer moved approval of item I2. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

3. **B.O. 23-233** - Consideration of approval of Service Element Prior Authorization (SEPA) #66494471 for \$527.70 under Intergovernmental Agreement # 157846 between Yamhill County and the Oregon Department of Human Services (B.O. 19-221) for the financing of Community Developmental Disabilities Services, retroactive to April 1, 2023.

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

4. **B.O. 23-234** - Consideration of approval of Service Element Prior Authorization (SEPA) #68106977 for \$64,518.50 under Intergovernmental Agreement # 157846 between Yamhill County and the Oregon Department of Human Services (B.O. 19-221) for the financing of Community Developmental Disabilities Services, retroactive to June 1, 2023.

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

5. **B.O. 23-235** - Consideration of approval of Service Element Prior Authorization (SEPA) #63945178 for \$24.00 under Intergovernmental Agreement # 157846 between Yamhill County and the Oregon Department of Human Services (B.O. 19-221) for the financing of Community Developmental Disabilities Services, effective July 1, 2023.

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

6. **B.O. 23-236** - Consideration of approval of Service Element Prior Authorization (SEPA) #68098154 for \$8,600.00 under Intergovernmental Agreement # 157846 between Yamhill County and the Oregon Department of Human Services (B.O. 19-221) for the financing of Community Developmental Disabilities Services, effective July 1, 2023.

Commissioner Starrett moved approval of item I6. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

The meeting was recessed at 10:53 a.m. and reconvened at 10:59 a.m.

J. PUBLIC HEARINGS:

1. Docket G-01-21: A public hearing to consider amendments to Sections 501, 502, 503, and 1014 of the Yamhill County Zoning Ordinance to permit Accessory Dwelling Units (ADU's) on lands zoned for rural residential use which includes the AF-10, VLDR, and LDR zones.

Commissioner Berschauer opened the legislative public hearing at 11:00 a.m. There were no reports of conflict of interest by the Board. Ken Friday introduced the county-initiated proposal to adopt provisions for ADU's in response to a recently modified senate bill allowing rural residentially zoned property owners to construct an ADU up to 900 square feet with conditions. He added that this proposed language was approved by the Planning Commission with the recommendation that water be tied to an existing water source of the main dwelling and lastly added that this is a much-requested use by the public.

Public Comment:

Rae Parlier gave verbal testimony in support of the recommendation stating it was a good option for property owners choosing to age in place with family caregivers on existing qualifying property. She added that hardship dwellings and converting existing dwellings add financial hardship to families looking for options.

Deliberation: The Board and staff discussed county oversight to monitor that the ADU's under this proposal are not being used as short-term rentals. Mr. Friday responded that his office is complaint driven and have already seen issues with plans or builds that are not compliant; he noted that qualifying properties will have met existing infrastructure and impact criteria and will provide much needed entry-level housing. After discussion, Commissioner Berschauer moved approval of item J1. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye. Staff will draft an ordinance for consideration of adoption.

2. Docket G-01-22: A public hearing to consider a Planning Commission recommendation to add “*Roads, highways and other transportation facilities and improvements*” as a permitted use to the following zoning districts:

- a. Parks, Recreation, Open Space District – Section 405 (PRO)
- b. Rural Residential Districts –502 (VLDR), and 503 (LDR)
- c. Public Assembly Institutional District – Sections 801 (PAI)

And as a conditional use to the following zoning districts:

- d. Mineral Resource District – Section 404 (MR)
- e. Rural Residential District – Section 501 (AF-10)
- f. Commercial Districts – Sections 601 (RC), 602 (NC) and 603 (HC)
- g. Industrial Districts – Sections 701 (RI), 702 (LI) and 703 (HI)
- h. Public Works/ Safety District – Section 802 (PWS)
- i. Public Airports/ Landing Fields District – Section 803 (PALF)

Commissioner Berschauer moved approval to table item J2 to a later date. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

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 11:28 a.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair LINDSAY BERSCHAUER

Commissioner KIT JOHNSTON

Commissioner MARY STARRETT