

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 September 14, 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 Justin Hogue, Deputy County Administrator; Christian Boenisch, County Counsel; Jodi Gollehon, Assistant County Counsel II; and Carolina Rook, BOC Staff. Lindsey Manfrin, Health and Human Services Director and Nohely Barajas-Montalvo, Legal Assistant, participated via Zoom.

Guests: Jamison Best; Tim & Leesa Novak; Bubba; Jim; and Bruno Quanquin. Adam Garvin 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 10:02 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 September 18 – 24, 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 general public comments received about the City of Lafayette water rates.

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: None

H. OLD BUSINESS:

1. First reading in consideration of approval of an Ordinance in the matter of Newberg Urban Reserve Area Expansion and Amending the Yamhill County Comprehensive Plan. Adopting Findings; Setting the Effective Date.

Hearing no objection, Jodi Gollehon entered the first reading into the record by title only. The second reading and Ordinance adoption is scheduled for September 28, 2023. There was no action taken.

2. Discussion regarding the potential closure of High Heaven Road gate.

Commissioner Berschauer provided a summary of the High Heaven Road site visit. The following participants were in attendance; the Bureau of Land Management (BLM); McMinnville Fire Department; Hampton Lumber; Weyerhaeuser Lumber; Yamhill County Emergency Management; Yamhill County Sheriff's Office; former Commissioner Casey Kulla; and residents. The following topics were discussed during the site visit: how does Oregon Department of Forestry (ODF) determine fire risk levels during the fire risk season; how does ODF specifically work with the counties and property owners to determine the fire risk levels; details about the Ball Bearing Hill fire; and emergency evacuation routes. Commissioner Berschauer noted that the first gate is owned by Weyerhaeuser Lumber, and the second gate is owned by Hampton Lumber and the gates could be modified to a multi-lock system.

Commissioner Berschauer provided time for citizens to share public comments regarding H2. Public comments related to item H2 were also received via email.

Jamison Best (Southwest Peavine Road resident) – Mr. Best shared that Peavine Road does not have a gate and the area shares a lot of similarities as High Heaven Road. The residents experience crime, speeding, and fire danger. He said that if the High Heaven Road gates were to be closed there will be increased traffic on Peavine Road. Lastly, he added that public lands should be accessed by the public and in doing so it has become increasingly difficult with Weyerhaeuser Lumber locking most of their gates.

Bruno Quanquin - (High Heaven Road resident) – Mr. Quanquin provided comments supporting gate closure during wildfire season. He also stated that he has witnessed the remnants of several fires. He also shared that allegedly Travel Oregon has offered \$1 million dollars in support for a proposed mountain bike park.

Tim Novak - (High Heaven Road resident) – Mr. Novak commented that a Hampton Lumber representative shared with him that the gates belong to Hampton Lumber and that they have the

authority to open and close the gates. Mr. Novak said that he would like the Sheriff's Office to patrol the area on a regular basis.

Commissioner Berschauer provided to the rest of the Board that ODF works with many entities to determine the wildfire risk level and recommends closing the gates at a Moderate wildfire risk and remain closed through the end of the season. Commissioner Berschauer added that both Weyerhaeuser Lumber and Hampton Lumber agreed to help pay for the cost of converting from the current 1-tab lock to a 5-tab lock which would allow private key access for multiple people.

After discussion, the consensus of the Board was to direct staff to draft a policy closing the High Heaven Road gate during wildfire risk season for consideration of adoption on September 21, 2023.

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

1. **B.O. 23-361** - Consideration of authorizing a notice of intent to award a construction contract to Ross Builders Northwest, LLC in the amount of \$808,530 for the 310 Kirby Street remodel.

Commissioner Starrett moved approval of Item I1. Lindsey Manfrin clarified that a component of the bid will fund renovations of a space that is leased by the Women-Infants & Children (WIC) program. After discussion, the motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

2. **B.O. 23-362** - Consideration of approval to authorize Yamhill County Health and Human Services to apply for Reproductive Health Infrastructure funding in the amount of \$29,500 from the Oregon Health Authority to support the cost of the 310 Kirby Street renovation.

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

3. **B.O. 23-363** - Consideration of approval to authorize a 10ft permanent right-of-way easement located at 10605 SE Loop Rd, McMinnville, OR 97114. Tax Lot 900 (R4424C00900).

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

J. PUBLIC HEARINGS: None.

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 11:17 a.m.

Nicole Necas
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair LINDSAY BERSCHAUER

Commissioner KIT JOHNSTON

Commissioner MARY STARRETT