

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 29, 2024, 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; Nohely Barajas-Montalvo, Legal Assistant; Gioia Goodrum, Economic Development; Mark Lago, Public Works Manager; Nick Wilkinson, Vegetation Management Supervisor; Sam Elliott, Sheriff. Christian Boenisch, County Counsel; and Ken Friday, Planning Director participated via Zoom.

Guests: Bubba; Mike Morris; Kathy Schlotfeldt; Dave Haugeberg; and Jon George. Nicole; Craig Markham; Steve Harloff; and Shawn Daley 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@yamhillcounty.gov.*

A. CALL TO ORDER: Commissioner Berschauer called the meeting to order at 10:17 a.m.

B. FLAG SALUTE

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

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.

Commissioner Berschauer acknowledged public comments received related to COVID/vaccinations.

YCAP Vice Chair Jon George read a statement into the record responding to incidents related to the City of Newberg's comments regarding inclement weather closures and facility closure during construction of Any Door Place in Newberg.

E. DEPARTMENT UPDATES: None.

[Note: Commissioner Berschauer requested moving item J1 prior to agenda Section F. See item J1 for action taken].

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.

[Note: Commissioner Starrett requested moving Section I prior to agenda Section F. See items in section I for action taken].

1. Work Session –

a. Review/discussion of Commissioner Good Governance Policy & Ordinance 900 Review.

Ken Huffer clarified that Ordinance 900 was codified to County Code Chapter 2:05. Commissioner Berschauer stated her intention to review was for updating purposes. Changes discussed were amending language regarding discontinuing Informal Session references, removing telephonic participation, amending committee appointments and other processes. Good governance – a report outlining how commissioner discretionary fund expenditures are used will be reviewed at budget time. Commissioner discretionary fund sidebars and a process to publish a transparency report. Regarding Expense & Travel, limiting dollar amount and expenditure types were considered. A review of legal fee policy will be discussed at a future session.

b. End of work session

G. CONSENT AGENDA:

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

Committees

1. **B.O. 24-61** - Approval to reappoint Jim Culbert and Neyssa Hays to the Parks Advisory Board, each to serve a four-year term to expire February 29, 2028.

H. OLD BUSINESS: None.

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

1. Consideration of the first reading of Ordinance 932, adopting the Yamhill County Construction Erosion and Sediment Control Code and amending the Yamhill County Code Enforcement Code.

Hearing no objection, Jodi Gollehon entered the first reading into the record. Ken Friday reviewed acreage-based fees and noted he didn't anticipate issuing many permits because most projects will be less than a quarter acre. Ms. Gollehon added that fines would be lower than what statutory minimum presumptive fines dictate but would be at the discretion of the enforcement officer. The second reading and consideration of adoption will be on March 14, 2024. There was no action taken.

2. **B.O. 24-62** - Consideration of approval of an Intent to Award Construction to Haworth, Inc. for the 2024 Pike Road Bridge Superstructure Replacement Project in the amount of \$494,209.50.

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

3. **B.O. 24-63** - Consideration of approval of Service Element Prior Authorization #87340653 under the agreement between Yamhill County and the Oregon Department of Human Services (B.O. 23-367) for the financing of Community Developmental Disabilities Services in the amount of \$107,228.40. #HHS24006IGA.

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

4. **B.O. 24-64** - Consideration of approval of Agreement #44300-00026116 between Yamhill County and the Oregon Health Authority to fund Choice Model Services in the amount of \$311,525 retroactive to January 1, 2024, through June 30, 2025. #HHS24039IGA.

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

5. **B.O. 24-65** - Consideration of approval and to authorize the County Administrator to execute a grant agreement between Yamhill County and Northwest Christian Church expanding "The Zone" afterschool program into four Yamhill County schools in the amount of \$369,614 effective for twelve months upon full execution.

Gioia Goodrum presented an updated overview of the ARPA early childcare funding recommendations previously approved by the Board in December 2023 and recommended approving the agreement as presented. After discussion, Commissioner Starrett moved approval of item I5. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

6. **B.O. 24-66** - Consideration of approval and to authorize the County Administrator to execute Grant Agreement #10757400 between Yamhill County and Chemeketa Community College for the Early Childhood Educator Educational Development program in the amount of \$760,386 effective for twelve months upon full execution.

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

7. Discussion of requested revisions to a grant agreement for George Fox University Child Development Facility.

The Board and staff discussed amended agreement provisions with GFU representative Shawn Daley. After discussion, there was consensus of the Board to direct staff to amend grant

agreement language to be brought back for consideration in the future. There was no action taken.

8. Discussion and update regarding a grant agreement between Yamhill County and Yamhill Community Action Partnership (B.O. 23-414).

The consensus of the Board was to not take any action.

9. **B.O. 24-67** - Consideration of approval of Agreement #44300-00026028 between Yamhill County and the Oregon Health Authority for the financing of Community Mental Health, Addiction Treatment, Recovery, & Prevention, and Problem Gambling Services in the amount of \$7,015,193.53 retroactive to January 1, 2024, through June 30, 2025.

#HHS24037IGA.

Commissioner Starrett moved approval of item I9. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

10. **B.O. 24-68** - Motion to appoint Commissioner Mary Starrett to serve as the Yamhill Community Action Partnership's (YCAP) liaison and serve on YCAP's Board.

Commissioner Kit Johnston addressed YCAP's invitation to join their board after the removal of Commissioner Starrett. Commissioner Berschauer stated that future communications between YCAP and the County will be made through County Counsel. Commissioner Berschauer moved to appoint Commissioner Starrett to the YCAP Board. After discussion, the motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

11. Commissioner Kit Johnston informing Board to intent to have discussions with the Sheriff and new McMinnville Fire District Chief about radio system.

Commissioner Johnston informed the other Board members that he would be holding discussions with the McMinnville Fire District Chief regarding the radio system crossover between county and the city fire district, as discussions would overlap with the Sheriff's Office which is a liaison department to Chair Berschauer. No action was taken.

The meeting was recessed at 11:37 a.m. and reconvened at 11:44 a.m.

J. PUBLIC HEARINGS:

1. Docket PAZ-02-23: Approval of a Comprehensive Plan amendment from Public, P, to Industrial, I, and a zone change from PAI, Public Assembly Institution, to LI, Light Industrial. Applicant: Orchard and Vineyard Supply, LLC. Tax Lot: 5417-00301.

Ken Friday submitted the following statement into the record: "The Yamhill County Zoning Ordinance section 1403.05 states in part that the Board may affirm, modify, or reverse all or part of the action of the Director, (Planning) Commission, or Hearings Officer, or may remand the matter to the decision-making body for additional review or information. For this application the interested buyers of the property have backed out of the sale. The owner wishes to modify the Limited Use Overlay placed by the Planning Commission. This would require the submittal of additional information. Therefore, the owners would like for the Board to remand the matter back to the Planning Commission and direct our office to send out a new notice when the

Planning Commission hearing is set. Our office has no objection to this action, and I should also note that, to date, this application has received no opposition”. Mr. Friday further provided the following Board action language: “Based on the owner’s request to submit additional information related to the zone change, the Board shall remand Docket PAZ-02-23 back to the Planning Commission and direct staff to send out new public notice prior to the hearing”. Commissioner Berschauer moved approval of the motion language as recommended. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

- Dave Haugeberg commented that the zoning was designed for a specific buyer but the sale fell through. It is still considered a valuable property and he looks forward to going back to the Planning Commission to discuss new prospects for its use.

B.O. 24-69 – Order to remand Docket PAZ-02-23 back to the Planning Commission and direct staff to send out new public notice prior to the hearing date.

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 1:09 p.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair LINDSAY BERSCHAUER

Commissioner KIT JOHNSTON

Commissioner MARY STARRETT

