

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 formal session on September 8, 2016, at 10:00 a.m. in Room 32 of the courthouse, Commissioners Mary Starrett, Stan Primozych and Allen Springer present.

Also present were Laura Tschabold, County Administrator; Ken Huffer, Deputy County Administrator; Christian Boenisch, County Counsel; Todd Sadlo, Senior Assistant County Counsel; Mikalie Frei, County Counsel staff; Ken Friday, Planning Director; Dave Adams, KLYC Radio; Nicole Montesano, News-Register; and others as listed on the attached attendance roll.

Commissioner Starrett called the meeting to order at 10:00 a.m. Invocation was offered by Lynn Kinion.

A. **PUBLIC COMMENT:** This thirty-minute time period is reserved for public comment on any topic other than a quasi-judicial land use matter or other topic scheduled for public hearing. Unless extended or restricted by the Chair or majority of the Board, public comment will be limited to three minutes per person.

Ivory McLaughlin stated she is in support of the trail as she expressed her concerns about students and bikers using the same road as log trucks.

Ken Wright voiced his support for the trail. He said that as a resident and farmer of Yamhill County for 40 years, he understands the community’s concerns regarding crime, littering and safety, but encouraged the board to review comments with detail.

Tom Hammer stated his opposition for the trail adding that he believes it is a misuse of public funds that will include ongoing maintenance costs and that it’s an intrusion into exclusive farmland.

Peter Higbee stated that he is in favor of the trail because he believes it will be an economic benefit to the county.

Marilyn Blen said that the trail will provide a safe corridor to students and the public and therefore strongly supports that trail.

Nick Marrant stated that if land owners are not in support of the trail then there shouldn’t be one. He expressed his opposition for the trail.

Jim Culbert said that he is in support of the trail and it's multi-recreational purpose.

James Tompkins clarified that he is not opposed to the trail but believes that policing of the trail will be an issue due to homelessness and crimes.

Ron Skidmore said that he is very excited for the trail.

Mary Anne Nash said she would like to see the county commit to the trail with required permits before acquiring the property and provide a specific time frame so land owners are kept up to date on the process.

Becky Gagnier provided a letter from Lee Schrepel, Executive Vice President of Fruithill, Inc. for the record. She stated her opposition of the proposed recreational trail and expressed the company's commitment to food safety.

Bryan Schmidt expressed his reasoning for his opposition to the trail.

Pieper Sweeney said that she is familiar with the grants and monies going into the trail but is concerned about county funds being used while there is a bridge that needs repair and would like to see the county focus on safety issues before anything else.

Amanda Marshall said she supports transgender students and is in opposition to letter sent from the Commissioners to the Department of Education supporting the efforts of the Parents' Rights in Education (PRE) organization and expressed her concerns about teen suicides and bullying.

Megan Corvus stated her support for transgender students and addressed concerns about the letter from the Commissioners to the Department of Education. She noted that the suicide rate for transgender students is at 50%.

Ted de Chatelet spoke in regards to the transgender topic. He said although it is something hard for people to wrap their heads around, he expressed the need to support transgender kids.

Tanya Tompkins stated her support towards transgender students.

B. CONSENT AGENDA: Commissioner Primozich moved approval of the consent agenda. The motion passed, Commissioners Starrett, Primozich and Springer voting aye.

Personnel

1. **B.O. 16-362** - Approve 5.5% lead worker pay for Keri Hinton, Board of Commissioners' Office, effective September 9, 2016.
2. **B.O. 16-363** - Approve 11% out-of-class pay for Ken Nygren, Emergency Management, retroactive to May 9, 2016 until an Emergency Manager is hired.

3. **B.O. 16-364** - Approve position management authority increase of 1.0 FTE for a Management Analyst in Health and Human Services (HHS) Public Health Division.

Contracts/Grants

4. **B.O. 16-365** - Approve Amendment #3 to the delegation agreement between HHS and Yamhill Community Care Organization (YCCO), retroactive to September 1, 2016.
 5. **B.O. 16-366** - Approve Amendment #8 to an agreement between HHS Public Health Division and the Oregon Health Authority for public health services in the amount of \$613,371 effective July 1, 2016 through June 30, 2017.
 6. **B.O. 16-367** - Authorize Silas Halloran-Steiner on behalf of Yamhill County HHS to apply for a grant from Providence Newberg Medical Center Community Benefit in partnership with the Oregon State University Extension Office in Yamhill County.
 7. **B.O. 16-368** - Approve an amendment to an agreement between the Sheriff's Office and BLM to extend the term from November 1, 2016 through October 31, 2017.
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C. **OLD BUSINESS:**

1. Consideration of adoption of the final written decision, findings and conditions of Planning Docket C-05-16/SDR-03-16: An appeal by CPRD of the Planning Director's conditions of approval for a day use park on approximately 325 acres located on Parrett Mountain. *[Continued to September 15, 2016.]*

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

1. **B.O. 16-369** - Consideration of ratification of the 2016-19 collective bargaining agreement between Yamhill County and the Federation of Oregon Parole & Probation Officers (FOPPO).

Commissioner Springer moved approval of item D(1). The motion passed, Commissioners Starrett, Primozych and Springer voting aye.

2. **B.O. 16-370** - Consideration of extending provisions of the 2016-19 FOPPO collective bargaining agreement to FOPPO associated non-bargaining employees of the Department of Community Justice.

Commissioner Springer moved approval of item D(2). The motion passed, Commissioners Starrett, Primozych and Springer voting aye.

The meeting recessed at 11:03 a.m. and reconvened at 11:17 a.m.

E. **PUBLIC HEARINGS:**

1. Docket SU-02-16 (KF): An appeal of similar use request to add recreational marijuana dispensary as a conditional use in the Highway Commercial zone; applicant: Larry Brock. *[Continued to October 6, 2016 in Room 32 of the courthouse at the point of staff recommendation; record to remain open until 5:00 p.m. on September 15, 2016 for submission of written testimony/evidence by any party; until 5:00 p.m. on September 22, 2016 for submission of written rebuttal; and to remain open for the applicant's final written testimony until 5:00 p.m. on September 29, 2016.]*

Commissioner Starrett opened the public hearing at 11:17 a.m. There being no abstentions or objections to jurisdiction from the Board, Todd Sadlo read the statement required for land use hearings relating to the requirement that parties must raise all issues at the hearing or waive their right to raise the issues on appeal.

Staff report - Ken Friday presented the request originally made by Larry Brock and provided a brief description of the property located at 18825 Highway 99W and 4270 NW Blanchard Lane, Dayton.

Proponents - Linda McGrew stated that there had been some confusion over the purchase of the property explaining that the interested buyer and applicant, Larry Brock had appeared during the first hearing where she was not in attendance. She described the purpose of the property for both medical and recreational marijuana. She asked that the record be left open in order to review all documentation and seek legal advice.

Hollie McGrew stated that a medical marijuana dispensary would benefit the community. She said she plans to set up a fund for student scholarships.

David Antinucci said that he does not believe that the dispensary shop will have an effect on traffic or safety to the public.

Opponents - Debbie Whitlow stated her opposition to the application. She expressed her concerns regarding safety for the public and the environment.

David Blanchard discussed the dangers of the location of the dispensary and encouraged the Board to deny Ms. McGrew's request.

Gerald Steiger said he owns property on Blanchard Lane and agreed with the previous opponents' testimony adding that he is not in favor of a proposed dispensary being next to a school bus stop.

Dan Blanchard expressed his concerns regarding the effect that the dispensary will have on traffic.

Marjorie Ehry expressed her concerns regarding the overall use of marijuana.

Request to keep record open granted. Ken Friday proposed the following schedule: Hearing to be continued at 10:00 a.m., October 6, 2016 in Room 32 of the Courthouse at the point of staff recommendation; record to remain open until 5:00 p.m. on September 15, 2016 for submission of written testimony and evidence by any party; record to remain open until 5:00 p.m. on September 22, 2016 for submission of written rebuttal; and record to remain open for the applicant's final written testimony until 5:00 p.m. on September 29, 2016.

Commissioner Primozich made a motion to keep the record open until October 6, 2016, as stated by Ken Friday. The motion passed unanimously. Commissioner Starrett, Primozich and Springer voting aye.

F. **ANNOUNCEMENTS:**

1. For information on county advisory committee vacancies, please refer to our website, www.co.yamhill.or.us/content/volunteer-opportunities, or call the Board of Commissioners' office at 503-434-7501 or 503-554-7801 (toll-free from Newberg).

For questions regarding accessibility or to request an accommodation please contact the Board of Commissioners' office 48 hours in advance of the meeting at (503)-434-7501 or (503)-554-7801 (toll-free from Newberg) or email at mendezl@co.yamhill.or.us.

The meeting adjourned at 12:53 p.m.

Lucy Flores Mendez
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY STARRETT

Commissioner STAN PRIMOZICH

Commissioner ALLEN SPRINGER