

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/informal session on May 14, 2020, at 10:00 a.m. in Room 32 of the courthouse, Commissioners Casey Kulla, Mary Starrett and Richard L. “Rick” Olson being present.

Also present were Ken Huffer, County Administrator, Christian Boenisch, County Counsel; Ken Friday, Planning Director; and Todd Sadlo, Senior Assistant County Counsel

Welcome! Due to COVID-19 and social distancing requirement, attending the meeting is discouraged. The public can view the meeting via YouTube link on the Yamhill County Meetings page. <https://www.co.yamhill.or.us/meetings>. See below for instructions regarding submitting general public comment or comments on agenda items.

A. CALL TO ORDER

Commissioner Kulla called the meeting to order at 10:00 a.m.

B. FLAG SALUTE

C. PUBLIC COMMENT: *Due to COVID-19 and social distancing requirements, we encourage anyone wishing to submit general public comment or comments on agenda items to do so in written format via email at bocinfo@co.yamhill.or.us or by mail at 535 NE Fifth St., McMinnville, OR 97128. Any comments received prior to the meeting will be shared with the Board of Commissioners and submitted to the record.*

There was no general public comment received.

D. CONSENT AGENDA: None.

E. OLD BUSINESS: None.

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

1. **B.O. 20-152** - Consideration of accepting a quote from Webster Heating for the replacement of two HVAC units in the county server room in the amount of \$36,975.

Commissioner Olson moved approval of item F1. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

2. **B.O. 20-153** - Consideration of an amendment to the 2019-20 Capital Improvement Project list (B.O. 19-258) to increase the amount available to include the county server room HVAC replacement project (Item F1).

Commissioner Starrett moved approval of item F2. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

3. **B.O. 20-154** - Consideration of approval of the annual maintenance and support from Harris Enterprise and Resource Planning for the GEMS program in the amount of \$47,775.57.

Commissioner Olson moved approval of item F3. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

4. **B.O. 20-155** - Consideration of approval of a grant agreement between Yamhill County and the State of Oregon, Office of Emergency Management (OEM) to receive federal disaster relief funding for Public Assistance for FEMA 4499-DR-OR (COVID-19).

Commissioner Starrett moved approval of item F4. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

5. Discussion of a regional request by SEDCOR.

There was discussion regarding a proposal made by Abisha Stone of SEDCOR to work with Marion and Polk County's on a cooperative program to match state grant funds for small business relief. The consensus of the Board was to direct staff to work with Ms. Stone in creating a regional proposal to be brought before the Board for ratification next week. *[No action taken.]*

G. PUBLIC HEARINGS:

1. Planning Docket #G-01-18: Yamhelas Westsider Trail remand, (written testimony and evidence only). *[Continued from April 30, 2020].*

The public hearing was re-opened at 10:08 a.m. Commissioner Starrett moved approval to move the hearing to May 21, 2020. Ken Friday and Christian Boenisch addressed the timeline and procedures of rescheduling the hearing date. Commissioner Olson stated he would like additional time to review recently received testimony. Commissioner Starrett expressed that there is significant interest in this matter by the opponents and restated her request to reschedule the hearing.

Sarah Mitchell, representing the opposition, stated that responses to the applicant's traffic study questions were submitted into testimony however the opposition has not been able to complete their own traffic study due to delays caused by COVID-19 and asked the Board to consider delaying the hearing to May 28, 2020.

Todd Sadlo, representing the applicant, stated that his delayed response to the hearing scheduling was due in part to his medical leave, however he met his deadlines and the hearing was noticed 21 days prior to April 30th. He is not opposed to extending the hearing to May 21st but is concerned that the opposition will submit additional evidence and that he will not be provided enough time to respond. He asked for an additional five days to respond to final opposition testimony and bring final findings to the Board on May 21st. Commissioner Kulla

noted his preference to continue the hearing as scheduled, acknowledging the Oregon Farm Bureau's complaints regarding the hearing's process. Ken Friday clarified that the Board was not scheduled to make a decision today which would have provided Mr. Sadlo time to submit final rebuttal on May 21st. Mr. Sadlo stated the opposition had enough time for responding to new evidence. He said Ms. Mitchell should respond to any new evidence during this time and not delay the hearing.

After discussion, Mr. Friday read his proposal that the record shall be open until 10:00 a.m. on May 21, 2020, for all parties to submit written testimony or evidence to the Planning Department at 525 NE 4th Street, McMinnville. The Board shall reopen the hearing on this date at 10:00 a.m. in Room 32 for a representative of the applicant to provide oral testimony; a representative of the opponents to provide oral testimony; and a representative of the applicant to provide oral rebuttal. The record shall remain open, for the applicant only, to submit final written argument, with no new evidence, until 5:00 p.m. on May 26, 2020, at that point the record shall be closed. The Board of Commissioners shall reopen the hearing at 10:00 a.m. on May 28, 2020, in Room 32 of the Yamhill County courthouse at the point of staff recommendation. Commissioner Starrett revised her motion to include the language as recommended by Mr. Friday. The motion passed, Commissioners Kulla, Starrett and Olson voting aye. The public hearing was recessed at 10:39 a.m. until May 21, 2020 at 10:00 a.m. in Room 32 of the Yamhill County courthouse.

H. 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 10:44 a.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair CASEY KULLA

Commissioner MARY STARRETT

Commissioner RICHARD L. "RICK" OLSON