

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 December 17, 2020, at 10:00 a.m. in a virtual meeting via Zoom. Commissioners Casey Kulla, Mary Starrett and Richard L. “Rick” Olson being present.

Also present were Ken Huffer, County Administrator; Christian Boenisch, County Counsel; Carrie Martin, Grants & Special Projects and Keri Hinton, BOC Staff. (via Zoom)

Guests (via Zoom): Michael Duncan; Bree Sagdal; Carolyn Franklin; Newberg FUMC; John Peterson, 2nd Winds Community Band; Jean Crowther, Alta Planning; Mary Stewart, Alta Planning; Grace Stainback, Alta Planning; and Dr. Henry Ealy.

Welcome! Due to COVID-19 and physical distancing requirements, all meetings are being held via Zoom. The public can view the meeting via the 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. PRESENTATIONS:

1. 2020 Employee Years of Service Recognition

2. Second Winds Community Band – John Peterson gave a brief overview of the history of the band and how it has impacted the community.

D. CALENDAR SESSION: This time is reserved for the review of the commissioner’s joint schedule (if needed). There was no calendar session.

E. PUBLIC COMMENT: *Due to COVID-19 and physical distancing requirements, anyone wishing to submit general public comment or comments related to a specific agenda item may 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 were public comments received regarding Item I1.

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 –

a. Review/discussion of Yamhelas Westsider Trail Master Plan by Alta Planning & Design - Jean Crowther, consultant at Alta Planning, stated the project purpose was to gather input regarding the proposed Westsider trail and typically they do so with face-to-face meetings and in person contact, but this has not been able to happen due to COVID restrictions. They have come up with an interactive map where folks can make specific comments and they have held two open houses virtually. Her presentation identified three outcome goals: Land Use Supportive, Feasibility and Desirability. Mary Stewart, a consultant at Alta Planning, discussed the project timeline which included open houses and public advisory committee meetings and adjacent landowner engagement. She shared engagement outcomes which reflected farm preservation concerns and safety of trail users and landowners. She noted the adjacent (tenant) farmer engagement resulted in different responses than with landowners and commented that she was encouraged by the collaboration and interest by citizens. Commissioner Starrett commented on the alternative alignment which would detour the trail to bypass farmlands. There was additional discussion related to security, traffic impacts and identifying funding resources. Carrie Martin asked the Board to consider approving the design presentation and memorandums, as required by the TGM grant.

Commissioner Kulla moved approval to accept the presentation and two technical memorandums in accordance with the Yamhelas Westsider Trail Master Plan. The motion passed, Commissioners Kulla and Olson voting aye, Commissioners Starrett voting nay. Commissioner Starrett expressed her disapproval and noted ongoing litigation and LUBA concerns related to the trail.

B.O. 20-441 - Consideration of accepting the presentation and technical memorandums #1 & #2 in accordance with the Yamhelas Westsider Trail Master Plan.

2. a. Review/discussion of Budget Discretionary Allocation Review - Ken Huffer discussed the discretionary allocation for fiscal year 2021-22 and recommended a 3% to 5% discretionary increase to departmental budgets. After discussion, the consensus of the Board was to instruct Mr. Huffer to move forward with a 3% increase as recommended. Mr. Huffer presented recommendations for the budget instructions and pointed out the changes being recommended for the budget calendar with April Service Team Budget meetings not being held in order to continue adhering to social distancing guidelines.

G. DEPARTMENT UPDATES: None.

H. CONSENT AGENDA: None.

I. OLD BUSINESS:

1. **B.O. 20-442** - Consideration of adoption of a Resolution and Board Order establishing an accurate hazard level in relation to COVID-19.

Dr. Henry Ealy reviewed Oregon Health Authority (OHA) data as it related to the proposed resolution. His presentation reflected a further breakdown of state versus county demographic data acquired from the OHA and Centers for Disease Control and Prevention (CDC). The Board discussed their concerns in open session related to the county's liability insurance policy and Mr. Boenisch clarified that this resolution in no way bypasses any state laws or excludes businesses from following the Governor's orders. Mr. Boenisch clarified the resolution was only an evidentiary tool for businesses to use in a judicial proceeding upon receiving citations or fines for violating state COVID-19 restrictions. After further discussion, Commissioner Starrett moved approval of item I1. The motion passed, Commissioners Starrett and Olson voting aye, Commissioner Kulla voting nay.

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

1. **B.O. 20-443** - Consideration of approval of a lease renewal (B.O. 09-617) between Yamhill County Health and Human Services and the Housing Authority of Yamhill County, \$3,235.64/month, retroactive to November 1, 2020 through October 31, 2021.

Commissioner Starrett moved approval of item J1. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

2. **B.O. 20-444** - Consideration of approval of a professional services agreement between Yamhill County and Karen Peters for Psychiatric Behavioral Health Nurse Practitioner services in the amount of \$98.87/hour for up to four hours per week, effective January 1, 2021.

Commissioner Starrett moved approval of item J2. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

3. **B.O. 20-445** - Consideration of approval of an agreement between Yamhill County and Convergent Technologies, Inc. for the fire alarm system upgrade at the Yamhill County Jail, Sheriff's Office, Juvenile Detention and Courthouse facilities in the not-to-exceed amount of \$174,000.

Commissioner Olson moved approval of item J3. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

4. **B.O. 20-446** - Consideration of ratifying Intergovernmental Agreement #1652 between Yamhill County and the Oregon State Marine Board (OSMB) Facility Grant Program for repairs to the short-term tie-up dock at Roger's Landing in the amount of \$47,091.30.

Commissioner Kulla moved approval of item J4. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

5. **B.O. 20-447** - Consideration of approval of Amendment #1 to Intergovernmental Agreement #1652 between Yamhill County and the Oregon State Marine Board (OSMB) Facility Grant Program, extending the completion date to March 1, 2021.

Commissioner Kulla moved approval of item J5. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

6. **B.O. 20-448** - Consideration of approval of the temporary reduction of the speed limit for a two (2) year period on Abbey Road, north of the City of Lafayette during the build out of Phase 1 of the Meadowbrook at Lafayette subdivision in accordance with ORS 810.180(8).

Commissioner Olson moved approval of item J6. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

7. **B.O. 20-449** - Consideration of extending the COVID-19 Paid Administrative Leave Policy (B.O. 20-91) to expire February 28, 2021.

Commissioner Kulla moved approval of item J7. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

8. **B.O. 20-450** - Consideration of extending the COVID-19 Telecommuting Policy (B.O. 20-104) to expire February 28, 2021.

Commissioner Olson moved approval of item J8. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

9. **B.O. 20-451** - Consideration of extending the COVID-19 Emergency Declaration (Resolution 20-10-22-1/B.O. 20-376) to expire on February 28, 2021.

Commissioner Kulla moved approval of item J9. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

10. **B.O. 20-452** - Consideration of approval of the installation of a peace pole on the Yamhill County campus.

Commissioner Kulla moved approval of item J10. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

K. PUBLIC HEARINGS:

1. **B.O. 20-453** - Consideration of receipt of public comment and adopting the 2020-2021 Yamhill County Supplemental Budget and making appropriations for Fund 26 - Economic Development Fund, Fund 38 - Landfill License Agreement Reserve, Fund 50 - O&C Reserve, and Fund 10 - General Fund.

Commissioner Kulla opened the public hearing at 2:20 p.m. There was no public comment received.

Ken Huffer stated the supplemental budget is for approval of appropriation authority in excess of 10% to the affected funds due to unforeseen revenues and expenditures in response to the COVID-19 pandemic. The fund adjustments would reflect grant program and CARES Act funding received. He noted the second request to move funding from Contingency to Discretionary would increase funding availability to support ongoing projects or departments as needed. Mr. Huffer said having supplemental authority would also allow any additional state or federal funding to be distributed without delay.

Commissioner Kulla closed the public hearing at 2:25 p.m.

Commissioner Kulla, moved approval of item K1. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

L. 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 2:30 p.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair CASEY KULLA

Commissioner MARY STARRETT

Commissioner RICHARD L. “RICK” OLSON