

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 July 15, 2021, at 10:00 a.m. in a virtual meeting via Zoom, Commissioners Mary Starrett, Lindsay Berschauer and Casey Kulla being present.

Also present were Ken Huffer, County Administrator; Christian Boenisch, County Counsel; Todd Sadlo, Senior Assistant County Counsel; Lindsey Manfrin, HHS Director; Desiree Lundeen, Associate Planner, Ken Friday, Planning Director, Mark Lago, Public Works Director; Ashley Watkins, Solid Waste Coordinator; Jason Foose, Surveyor; and Keri Hinton, BOC Staff. (via Zoom)

Guests via Zoom: Abisha Stone, SEDCOR; Representative David Gomberg; Dorie Vickery, Sheridan School District Superintendent; Jackie Lang, Waste Management; Dave Larmouth, Recology, Inc.; Diego Arguea, Kittleson & Assoc.; Marie Holladay; Todd Garrison; Kenneth Diener; Bob Carlson; Stephanie & Stephen Wasserberger; TAB; Nicole Montesano, News Register; D Lowe; Mia; Chuck; Craig Markham; Megan; Steve Brum; Suzy McDo; Erin Chen; Lynnette Shaw; Marvin Bernards; Susan Watkins; Heather Miller; and Char McCreight.

Welcome! Due to COVID-19 and physical distancing requirements, attending the meeting is discouraged. 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 Starrett called the meeting to order at 10:00 a.m. Due to technical difficulties, the Commissioner’s meeting was not streamed live on YouTube.

B. FLAG SALUTE

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

The Commissioner’s reviewed the joint schedule for the week of July 18 – 23, 2021. No other county business was discussed.

D. 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.

Public comments were received via e-mail regarding VAERS data, Riverbend Landfill, and requesting the resignation of Commissioner Berschauer.

E. 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 American Rescue Plan Economic Impact category and the CTEC West proposal.

Representative David Gomberg joined the discussion with an update regarding a \$1.9 million federal dollar allocation towards the CTEC project. He estimated the lottery bond sale process to release funds was approximately eighteen months away. Dorie Vickery provided a project update noting the timeline for opening CTEC was anticipated in the fall of 2022 with a projected total construction cost of \$8.3 million dollars.

Abisha Stone of SEDCOR stated steps were being taken to find individual investors and create an advisory committee to seek additional funding resources and partnerships. Commissioner Kulla requested a formal proposal outlining the purchase costs for consideration by the Board to backfill the purchase, pending the lottery bond sale. The consensus of the Board was to continue the discussion of the CTEC proposal to July 22, 2021 and for Ms. Vickery to gather answers to some of the questions raised.

b. End of work session.

F. DEPARTMENT UPDATES: None.

G. CONSENT AGENDA: Commissioner Kulla moved approval of the consent agenda. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

Contracts & Grants

1. **B.O. 21-289** - Approval of Amendment #7 to an agreement between Yamhill County and Aramark (B.O. 11-461) for food services for Yamhill Correctional Facility and Yamhill County Juvenile Detention Center, increasing the cost of meals, not to exceed 3.5% of the Consumer Price Index, retroactive to July 1, 2021 through June 30, 2022.

2. **B.O. 21-290** - Approval of an agreement between Yamhill County and Specialized Pavement Marking, Inc. for the 2021 Highway Striping Services Project, in the amount of \$292,436.02, effective upon approval through May 31, 2022.

3. **B.O. 21-291** - Approval of Amendment #6 to an agreement between Yamhill County Health and Human Services and Yamhill Valley Treatment, dba Provoking Hope (B.O. 17-249) in the amount of \$891,040.80, retroactive to July 1, 2021 through June 30, 2022.

4. **B.O. 21-292** - Approval of the Service Element Prior Authorization (SEPA) Unit #43993748 between Yamhill County Health and Human Services and the Oregon Department of Human Services for the financing of Community Developmental Disabilities Services in the amount of \$8,814,250.24, retroactive to July 1, 2021 through June 30, 2023.

H. OLD BUSINESS:

1. Consideration of approval of the adoption of written findings and conditions in the matter of upholding the Planning Director's approval of Docket PAZ-01-21: A Comprehensive Plan amendment from Very Low Density Residential to Industrial and a zone change from VLDR-2.5, Very Low Density Residential to LI, Light Industrial. Applicant: Thomas Henry Stewart; Tax Lot: 3325BD-200; Location: 209 Highway 99W, Dundee.

The consensus of the Board was to continue item H1 to July 22, 2021. No action was taken.

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

1. Consideration of approval of Amendment #2 to an agreement between Yamhill County Health and Human Services and Yamhill Valley Treatment, dba Provoking Hope (B.O. 19-277) to increase funding for the Peer Outreach Needle/Syringe Exchange Program in the amount of \$4,831.31 per month, retroactive to July 1, 2021.

The consensus of the Board was to continue item I1 to July 22, 2021. No action was taken.

2. **B.O. 21-293** - Consideration of approval of the 2021 Fund Exchange Agreement #35258 between Yamhill County and ODOT to exchange \$655,259.79 in federal funds for \$655,259.79 in state funds for the Newberg-Dundee Bypass Project, effective upon execution for two calendar years.

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

3. **B.O. 21-294** - Consideration of approval to authorize a letter of engagement between Yamhill County and Boldt Carlisle + Smith, LLC, for audit services for the 2020-21 fiscal year.

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

4. **B.O. 21-295** - Consideration of approval of the Regional Infrastructure Fund Grant Sub-Agreement between Yamhill County and Bernau Estates for the Bernau Estate Biodynamic Wine and Agriculture Experience project in the amount of \$150,000, effective upon execution through December 31, 2021.

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

5. Discussion and potential consideration of approval of a request to amend the Second Amended and Restated Solid Waste Disposal License Agreement between Yamhill County and Riverbend Landfill Company, Inc., retroactive to July 1, 2021.

The consensus of the Board was to continue item I5 to July 22, 2021 as a work session. No action was taken.

J. PUBLIC HEARINGS:

1. Docket PAZ-03-21: Consideration of Comprehensive Plan amendment from Very Low Density Residential to Commercial and a zone change from VLDR-2.5, Very Low Density Residential to NC, Neighborhood Commercial. Applicant: David Price; Tax Lot: 4411-1400; Location: 3026 Lone Oak Rd. North, McMinnville.

The public hearing was opened at 11:07 a.m. There were no objections or abstentions to the jurisdiction of the Board and there were no reports of site visits or ex-parte contact. Ken Friday read the “raise it or waive it” statement required by ORS 197.763(5).

Staff Report: Desiree Lundeen presented the staff report, noting the parcel was currently zoned for residential. The parcel contained two existing structures in disrepair with plant overgrowth, shared with an ODOT right of way and drainage ditch. The parcel was part of a residential subdivision platted in 1910. The neighboring parcel (across Lone Oak Road) was approved for the car dealership operation through a special exception application in 1980.

Applicant: Todd Garrison, General Manager of Price Honda stated the property would be used for vehicle storage and display parking.

Kenneth Diener, KJD Architecture, reviewed the site proposal stating the parcel was a non-desirable residential location that sits between the east and westbound Highway 99 split. Mr. Diener presented the proposal to convert the parcel zone to neighborhood commercial, matching the current zoning designation of the adjacent dealership lot. Access between the current dealership lot and the proposed parcel would be limited to Lone Oak Road and would not impact Highway 99 traffic. The alternate site analysis reflected compliance with county standards and was forwarded to the City of McMinnville with no response or concerns received. Mr. Diener noted that the alternate site analysis did not include sites within the McMinnville Urban Growth Boundary, as this was a location-driven request due to its proximity to the Price Honda lot.

There was no additional testimony in support of the application.

Appellant: There was no testimony in opposition of the application.

Public Agency Reports: Ms. Lundeen stated comments were received from the county sanitarian stating any future development must meet all sanitation requirements. There were no additional public agency reports received.

Applicant Rebuttal: There was no rebuttal by the applicant.

Staff Recommendation: Ms. Lundeen recommended approval of the application with the condition of imposing a limited use overlay with usage limited to automotive sales.

The public hearing was closed at 11:34 a.m.

Deliberations: After discussion, Commissioner Starrett moved approval of Docket PAZ-03-21 upholding the Planning Commission’s approval. The motion passed unanimously, Commissioners Starrett, Berschauer and Kulla voting aye. Todd Sadlo noted the ordinance and final written findings would be ready for adoption on July 29, 2021.

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 11:42 a.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY STARRETT

Commissioner LINDSAY BERSCHAUER

Commissioner CASEY KULLA