

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 October 14, 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; Colton Totland; Assistant County Counsel; Ken Friday, Planning Director; Stephanie Armstrong, Senior Planner; and Jason Foose, Surveyor (via Zoom).

Guests via Zoom: Christian DeBenedetti, Wolves & People Farmhouse Brewery; Dean Alterman; David Wall; David Tankersley; Richard Stellwagen; Sheila Barnes; Marvin Bernards; C. Talley; and B.

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.

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 October 18 – October 24, 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 received via e-mail regarding the Yamhelas Westsider Trail.

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 – None.

F. DEPARTMENT UPDATES: None.

G. CONSENT AGENDA:

Contracts & Grants

1. **B.O. 21-412** - Approval of Intergovernmental Agreement #15695 between the Yamhill County Community Justice, Juvenile Division and the Oregon Department of Education, Youth Development Division to support the Yamhill County Peer Court Program for the 2021-23 biennium in the amount of \$133,296 retroactive to July 1, 2021, through June 30, 2023.

2. **B.O. 21-413** - Approval of Grant Agreement #16365 between the Yamhill County Community Justice, Juvenile Division and the Oregon Department of Education, Youth Development Division for the funding of a .8 FTE Education Transition Specialist in the amount of \$158,000, for the 2021-23 biennium retroactive to July 1, 2021, through June 30, 2023.

3. **B.O. 21-414** - Approval of Intergovernmental Agreement #14715 between the Yamhill County Community Justice and the Oregon Youth Authority (OYA) for Juvenile Crime Prevention (JCP) Basic Service and Diversion Services in the amount of \$564,435 retroactive to July 1, 2021, through June 30, 2023.

4. **B.O. 21-415** - Approval of an Intergovernmental Agreement between Yamhill County and the City of Carlton for the Meadowlake Paving project in the amount of \$208,000 effective upon execution through December 31, 2022.

H. OLD BUSINESS: None.

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

1. **B.O. 21-416** - Consideration of a joint letter from the Board of Commissioners and Polk County to the West Valley Fire District Board regarding ambulance service concerns. (Commissioner Starrett).

2. **B.O. 21-417** - Consideration of approval to authorize position authority for the Planning Department to increase Senior Planner positions from 1.6 FTE to 2.0 FTE.

3. **B.O. 21-418** - Consideration of approval of authorizing a notice of intent to award a contract to Integrity Builders, Inc. for the property renovation at 2318 Portland Road in the amount of \$338,830.

4. **B.O. 21-419** - Consideration of approval to authorize position authority of 0.5 FTE in 010-010 (Administrative Services) and 0.5 FTE in Fund 080-038 (Insurance Reserve) for a Human Resources Director position.

J. PUBLIC HEARINGS:

1. Docket #SDR-19-21: Consideration of an appeal of the Planning Director’s approval of a site design review for the construction of an awning to the existing brewery. Applicant: Christian DeBenedetti; Location: 30203 NE Benjamin Road, Newberg; Tax Lot: 3215-500; Appellant: David Wall.

Commissioner Starrett opened the public hearing at 10:20 a.m. There were no abstentions or objections 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: Ms. Armstrong entered the staff report into the record stating the application was for a site design review of a proposed awning to be attached to the existing brewery. The awning would provide shelter during inclement weather and would not have permanent side walls or doors and would be extended from the existing roof line. The request was for an awning only, not a request to expand brewery operations.

Applicant: Christian DeBenedetti stated the awning would sit on an existing cement pad to provide outdoor shelter to customers and staff as there is no current indoor barn seating due to COVID-19 restrictions. He read testimony in support from Chris & Caprisce Grage and David & Anne Tankersley. There was no additional testimony in support of the application.

Appellant: David Wall submitted testimony in opposition citing concerns regarding nuisance of lights and noise to neighbors and addressed the site design review conditions. There was no additional testimony in opposition.

Public Agency Reports: Ms. Armstrong stated there were no public agency reports received.

Applicant Rebuttal: Mr. DeBenedetti responded to Mr. Wall’s testimony. He said the existing barn which houses the brewery predated modern building codes but noted that seismic upgrades were done to the in 2015-16.

Staff Recommendation: Staff recommendation was to approve the application for a site design review with conditions.

The public hearing was closed at 11:03 a.m.

Deliberations: After discussion, Commissioner Berschauer moved to uphold the Planning Director’s approval of the site design review application and deny the appeal. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye. ***[The motion to uphold the Planning Director’s approval of the application and deny the appeal passed unanimously. Final written decision and findings and conditions to be adopted on October 28, 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 11:08 a.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY STARRETT

Commissioner LINDSAY BERSCHAUER

Commissioner CASEY KULLA