

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 November 22, 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 (via phone); and Ken Friday; Planning Director.

Guests via Zoom: Trampas Bergstrom, Yamhill Fire Protection District; Abisha Stone, SEDCOR; Erik Andersson, SEDCOR; Lori & Dennis Bernards; and Brian Jensen.

*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 November 29 – December 5, 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](mailto: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 Marijuana Time, Place and Manner (TPM) Regulations.

**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. Presentation: Yamhill Fire Protection District  
YFPD Chief Trampas Bergstrom addressed the Board regarding ongoing efforts to improve the organization’s inclusive culture and environment between paid and non-paid Fire/EMT staff to recruit and retain volunteer interest.
  - b. End of work session.
  
2. Work Session -
  - a. Review/discussion of SEDCOR Quarterly Report and discussion of American Rescue Plan Act (ARPA) Impact Industries Grants.  
Ms. Stone and Mr. Andersson presented the ARPA Impact Industries Grant program proposal as well as discussed renewing the SEDCOR service agreement set to expire at the end of 2021. The consensus of the Board was to direct staff to work with SEDCOR to create a proposed scope of work in addition to a revised SEDCOR agreement to be considered by the Board.
  - b. End of work session

**F. DEPARTMENT UPDATES:** None.

**G. CONSENT AGENDA:**

Commissioner Starrett requested moving item G6 to Other Business. Commissioner Kulla moved approval of the consent agenda as amended. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

Contracts & Grants

1. **B.O. 21-468** - Approval of the quote and purchase of BitDefender annual maintenance renewal from TechHeads in the amount of \$38,890.
  
2. **B.O. 21-469** - Approval of Agreement #170700 between Yamhill County Public Health and the Oregon Health Authority for Environmental Health Services for fee remittances, retroactive to June 30, 2021 through June 30, 2023.
  
3. **B.O. 21-470** - Approval of an agreement between Yamhill County Health and Human Services and Providence Health & Services for community education services in the amount of \$15,000, retroactive to July 1, 2021 through December 31, 2021.
  
4. **B.O. 21-471** - Approval of Amendment #1 to an agreement between Yamhill County and Mark Bierly (B.O. 16-479) extending the lease for an additional one-year term with renewal options, effective December 1, 2021.
  
5. **B.O. 21-472** - Approval of Amendment #3 to Agreement #1015198 between Yamhill County and Oregon Health Sciences University (OHSU) (19-307) extending the agreement and adding funding in the amount of \$29,022 retroactive to October 1, 2021 through September 30, 2022.

6. Approval of a purchase agreement between Yamhill County Public Health and Alaska Structures for the purchase of two fabric structures in the amount of \$29, 601.

Commissioner Starrett requested to move item G6 to Other Business for further discussion.

7. **B.O. 21-473** - Approval of an agreement between Yamhill County Health and Human Services and Yamhill Community Care to support the Sheridan Housing Project in the amount of \$314,808 retroactive to October 1, 2021 through September 30, 2022.

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**H. OLD BUSINESS:** None.

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

1. **B.O. 21-474** - Consideration of approval of a letter to the West Valley Fire District Board of Directors regarding the Ambulance Service Area (ASA).

Commissioner Berschauer moved approval of item I1. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

2. **B.O. 21-475** - Consideration of approval to authorize the Health and Human Services Director or designee on behalf of Yamhill County Health and Human Services to submit an application for funding from the Oregon Health Authority in the approximate amount of \$7,000.

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

3. **B.O. 21-476** - Consideration of approval to authorize position authority for the Facilities Division to hire two Maintenance Worker I positions.

Ken Huffer stated the request for additional personnel was in response to increased workloads. Commissioner Kulla moved approval of item I3. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

4. **B.O. 21-477** - Consideration of approval of a Personal Services Contract between Yamhill County and Nyscelle Garcia-Duffy for court mediation services in the amount of \$85.00 per hour, not to exceed five (5) hours per original case filing, retroactive to October 7, 2021 through June 30, 2022.

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

5. **B.O. 21-478** - Consideration of approval of an Immediate Opportunity Fund Grant Agreement between Yamhill County and Willamette Valley Vineyards, dba Bernau Estate, for Oregon 99W road improvements, not to exceed \$724,500, effective upon full execution by all parties.

Mr. Boenisch stated this sub-agreement would provide funds to Willamette Valley Vineyards for work related to Highway 99 improvement as part of a job creation and retention

requirement. Commissioner Kulla moved approval of item I5. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

6. **B.O. 21-479** - Consideration of approval of extending the COVID-19 Paid Administrative Leave Policy (B.O. 20-91) retroactive to November 10, 2021 through December 31, 2021.

Commissioner Berschauer moved approval of item I6. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

7. Discussion of invitation to join Pilot Project on City/County Coordinated Homelessness Response.

8. **B.O. 21-480** - Consideration of approval of a purchase agreement between Yamhill County Public Health and Alaska Structures for the purchase of two fabric structures in the amount of \$29, 601.

Commissioner Starrett moved approval of item I8. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

The meeting was recessed at 11:18 a.m. and reconvened at 11:25 a.m.

#### **J. PUBLIC HEARINGS:**

1. Docket RDI-23-21: A appeal of the Planning Director's approval of a replacement dwelling at 11940 SE Boyer Road, McMinnville; Applicant: Ronald Martin; Appellant: Barbara Boyer. *[Continued from October 28, 2021, at the point of Staff Recommendation].*

Commissioner Starrett reconvened the public hearing at 11:26 a.m. at the point of Staff Recommendation.

Staff Recommendation: Ken Friday stated there was no final rebuttal received by the Applicant. He explained that he could not conclude that the residence was a hardship dwelling due to it being on its own parcel with its own septic system and not on the hardship dwelling renewal list. Mr. Friday added that the dwelling was placed on the assessment rolls about a decade after the hardship was approved. He recommended approval of the application with conditions as outlined in the Staff Report.

The public hearing was closed at 11:35 a.m.

Deliberations: After discussion, Commissioner Starrett moved approval to uphold the Planning Director's approval of the application and to deny the appeal. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye. Final written findings and conditions will be adopted on December 16, 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](mailto: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 11:54 a.m.

Carolina Rook  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

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Chair MARY STARRETT

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Commissioner LINDSAY BERSCHAUER

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Commissioner CASEY KULLA