

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 16, 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; and Nohely Barajas-Montalvo, Legal Assistant.

Guests via Zoom: Craig Markham; Carla; and Rodrigo Lagunas.

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. **PRESENTATIONS:**
 - 1. 2021 Employee Years of Service Recognition

- D. **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 December 20 – December 26, 2021. No other county business was discussed.

- 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.*

Public comments were received via e-mail regarding Marijuana Time, Place & Manner (TPM) Regulations, and indoor masking.

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 Budget – Discretionary Allocation and 2022-23 Budget Instructions.

Ken Huffer reviewed the upcoming Discretionary Allocation table stating that fiscal projections reflected anticipated increases in insurance costs, personnel, and materials and services costs. He recommended a 6% increase to most departments’ discretionary allocations to begin budget building. Mr. Huffer outlined possible revenue replacement transfers options of ARPA funding to some department budgets that experienced significant revenue impacts due to COVID-19. After discussion, he asked the Board to consider approval of setting the initial 2022-23 Fiscal Year Discretionary Allocation for departments and approving the 2022-2023 Fiscal Year Budget Instructions as presented. Commissioner Kulla moved approval of item F1a. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

b. End of work session

B.O. 21-486 – Consideration of setting the initial 2022-23 Fiscal Year Discretionary Allocation for departments and approving the 2022-2023 Fiscal Year Budget Instructions.

G. DEPARTMENT UPDATES: None.

H. 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. 21-487** - Approval of Amendment #8 to Agreement #166061 (B.O. 21-76) between Yamhill County and the Oregon Health Authority in the amount of \$52,54.38 retroactive to July 1, 2021 through December 31, 2021.

2. **B.O. 21-488** - Approval to accept a Notice of Award of School Based Health and Recovery Grant funding for the Willamina School Based Health Center operated and managed by Virginia Garcia Memorial Health Center in the amount of \$3,000.

3. **B.O. 21-489** - Approval to accept a Notice of Award of School Based Health and Recovery Grant funding for the Willamina School based Health Center operated and managed by Sunrise Family Clinic in the amount of \$150,000.

I. OLD BUSINESS:

1. Consideration of the adoption of written findings and conditions in the matter of upholding the Planning Director’s approval of Planning Docket RDI-23-21: Approval of a replacement dwelling at 11940 SE Boyer Road, McMinnville; Applicant: Ronald Martin; Appellant: Barbara Boyer.

Christian Boenisch requested that item I1 be moved to December 23, 2021. There was no action taken.

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

1. **B.O. 21-490** - Consideration of approval of Intergovernmental Agreement #173153 between Yamhill County and the Oregon Health Authority for the financing of Community Mental Health, Addiction Treatment, Recovery, & Prevention, and Problem Gambling Services in the amount of \$3,535,041.44 effective January 1, 2022 through December 31, 2022.

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

2. **B.O. 21-491** - Consideration of approval for the retroactive purchase of 75 Lenovo Think Pad E14 Gen 2 laptops in the amount of \$82,350.

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

3. **B.O. 21-492** - Consideration of approval of a Notice of Intent to Award a contract to Columbia River Contractors, Inc. for the Hendricks Road Guardrail Improvement Project in the amount of \$32,582.75.

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

4. **B.O. 21-493** - Consideration of the appointment of the following members to the selection committee for the Water and Sewer Infrastructure Competitive Grant Program:

a. Steve Caldwell, Pat Evans, Greg Haffner, John Morgan, Elliott Rector and Ryan Webb.

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

5. **B.O. 21-494** - Consideration of approval of Amendment #2 to the contract employee agreement between Yamhill County and Christian Boenisch, County Counsel (B.O. 18-383 & B.O. 20.432), retroactive to July 1, 2021.

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

6. **B.O. 21-495** - Consideration of authorizing County Counsel Christian Boenisch to sign the final Intrastate Allocation Agreement, Participation Forms, Distributor Agreements and related documents to include Yamhill County in the proposed national Distributor Settlement Agreement (McKesson Corporation, Cardinal Health, Inc., AmeriSourceBergen Corporation) and Janssen Settlement Agreement (Johnson & Johnson), settling and releasing all claims against the named parties arising out of federal multi-district opioid litigation.

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

7. **B.O. 21-496** - Consideration of approval to submit public comments opposing the Oregon Health Authority's proposed permanent rulemaking requiring masking in indoor spaces in Oregon. (Commissioner Starrett).

Commissioner Starrett asked the Board to consider submitting public testimony to the Oregon Health Authority regarding the proposed permanent masking in indoor spaces in Oregon. After discussion, Commissioner Berschauer moved approval of item J7. The motion passed, Commissioners Starrett and Berschauer voting aye, Commissioner Kulla voting nay.

8. **B.O. 21-497** - Consideration of approval to submit public comments opposing the Oregon Health Authority's proposed rule changes to Oregon Administrative Rule (OAR) 333-019-0010 and 333-019-1005. (Commissioner Starrett).

Commissioner Starrett asked the Board for consideration of approval to submit public testimony to the Oregon Health Authority regarding the proposed rule changes to Oregon Administrative Rules (OAR) 333-019-0010 and 333-019-1005 revising Oregon school vaccination requirements to include COVID-19 vaccinations. Commissioner Starrett moved approval of item J8. The motion passed, Commissioners Starrett and Berschauer voting aye, Commissioner Kulla voting nay.

9. **B.O. 21-498** - Consideration of authorizing the County Administrator to sign an amendment to the Yamhill County Rural Broadband Expansion Project Grant Agreement.

Ken Huffer stated this add-on was to modify Online Northwest's broadband scope of work for additional tower construction. Commissioner Kulla moved approval of item J9. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

K. PUBLIC HEARINGS: None.

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 11:40 a.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY STARRETT

Commissioner LINDSAY BERSCHAUER

Commissioner CASEY KULLA