

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 February 25, 2021, at 10:00 a.m. in a virtual meeting via Zoom, Commissioners Mary Starrett, Lindsay Berschauer and Casey Kulla being present.

Staff present were Ken Huffer, County Administrator; Christian Boenisch, County Counsel; Cynthia Thompson, Transit Manager, Derrick Wharff, County Tax Assessor and Keri Hinton, BOC Staff (via Zoom).

Guests (via Zoom): Don Clements, CPRD; Casey Creighton, CPRD; Kat Ricker, CPRD; Patrick Davenport, City of Newberg; Keith Leonard, City of Newberg; Bev H.; James; Kevin Starrett; Tatiana; Teresa Rapp; Beht Rankin; Mary Beth Branch; Val Blaha; Erika Marksbury and Kris Bledsoe.

*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 10:08 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 with no changes added. 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 related to agenda item I7 and one addressing vaccination equity.

**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:**

Commissioner Kulla moved approval of consent agenda items G1 through G3. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

Minutes

1. a. **B.O. 21-71** - January 7, 2021, Formal/Informal Session;
- b. **B.O. 21-72** - January 14, 2021, Formal/Informal Session;
- c. **B.O. 21-73** - January 21, 2021, Formal/Informal Session; and
- d. **B.O. 21-74** - January 28, 2021, Formal/Informal Session.

Contracts & Grants

2. **B.O. 21-75** - Approval of Amendment #18 to Agreement #159833 between Yamhill County and the Oregon Health Authority for Public Health Services (B.O. 19-222) adding funding in the amount of \$625,942, effective through June 30, 2021.
3. **B.O. 21-76** - Consideration of approval of Agreement #166061 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 \$3,275,264.18 retroactive to January 1, 2021 through December 31, 2021.

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**H. OLD BUSINESS:**

1. Consideration of submitting a letter of support for the Community Paths Grant-Bypass Trail & Hess Creek Bridge. ***[Continued from February 18, 2021].***

CPRD staff joined the Board in discussion regarding the request of a support letter to submit with an ODOT grant for the project. Subsequently, there was no consensus by the Board to provide a joint letter of support. There was no action taken.

2. Consideration of a Resolution formally stating an Opt-In/Opt-Out decision regarding the City of Newberg's Vertical Housing Development Zone. ***[Continued from February 18, 2021].***

The Board held discussion with Patrick Davenport and Keith Leonard from the City of Newberg regarding the proposed vertical housing project. Derrick Wharff summarized that either Opt-In/Out option would create minimal district administrative impacts. Mr. Davenport offered to relay updates to other taxing district decisions. The consensus of the Board was to continue item H2 to March 11, 2021. There was no action taken.

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

1. **B.O. 21-77** - Consideration of approval to authorize Yamhill County Transit to submit an application for the 2021-23 Section 5311 Federal Grant for funding in the amount of \$1,774,291 for Yamhill County Transit administration, operating and maintenance costs.

Cynthia Thompson summarized the proposed grant application for the 2021-23 biennium. Commissioner Kulla moved approval of item I1. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

2. **B.O. 21-78** - Consideration of approval of a personal services contract between Yamhill County and Kathleen Horgan for court mediation services in the amount of \$85.00 per hour, not to exceed five (5) hours per original case filing, retroactive to February 1, 2021 through June 30, 2022.

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

3. **B.O. 21-79** - Consideration of adopting Resolution 21-02-25-1 in support of the local economy and businesses of Yamhill County impacted by COVID-19.

Commissioner Starrett stated the Resolution was in response to the emergency declaration and directives implemented by the Governor which impacted businesses designated as non-essential. After discussion, Commissioner Starrett read Resolution 21-02-25-1 into the record. Commissioner Berschauer moved approval of item I3. The motion passed, Commissioners Starrett and Berschauer voting aye. Commissioner Kulla voting nay.

4. **B.O. 21-80** - Consideration of adopting a resolution extending the COVID-19 Emergency Declaration.

Ken Huffer stated the extension allowed for procurements and allowed county administration to implement temporary policies. He said a denial of extending this policy would impact the temporary policy for donation of Flexible Earned Time (Agenda Item I4). After discussion, Commissioner Starrett moved to not extend the COVID-19 Emergency Declaration set to expire on February 28, 2021. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

5. Consideration of extending the COVID-19 Paid Administrative Leave Policy previously approved by Board Order 20-91.

No action was taken.

6. **B.O. 21-81** - Consideration of extending the temporary modification to the Donation of Flexible Earned Time (FET) or Vacation Leave Policy previously approved by Board Order 20-102.

Commissioner Kulla moved approval of item I6 tying it to the Governor's declared state of emergency. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

The meeting recessed at 12:11 p.m. and reconvened at 12:19 p.m.

7. Consideration of adopting the Yamhill County Second Amendment Sanctuary Ordinance (SASO).

Ken Huffer addressed the volume of public comments received related to item I7. He added that staff collected comments for the record but did not historically track proponents and opponents. The Board and staff discussed an ordinance proposed by Commissioner Berschauer which she stated was in response to proposed state firearm legislation restricting the possession of concealed firearms in public buildings designated as firearm free zones. The consensus of the Board was to continue the discussion next week for further review. No action was taken.

**J. PUBLIC HEARINGS:** None.

**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 1:24 p.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