

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 April 8, 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; Stephanie Armstrong, Senior Planner; Brian Young, Emergency Management Program Coordinator and Keri Hinton, BOC Staff (via Zoom).

Guests via Zoom: Elaine Albrich, Davis Wright Tremaine, LLP; Olivier Jamin, Davis Wright Tremaine, LLP; Paul Ridgeway; Interested Citizen; Champion Team; Carla; Erin Gardner; zCeline; Patty Williams; Sheila Barnes; Patricia Faye Marshall; Madeline Bishop; Philip Higgins; Barbara Boyer; Mary Beth Branch and P. Stevens.

*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). There were no new items added to the calendar. 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 email related to item E1 and firearm 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. a. Review/discussion of next steps for Yamhelas Westsider Trail bridge project, master planning and grants. *[Continued from April 1, 2021].*

Ken Huffer updated the Board regarding his communication with ODOT for a repayment proposal which he stated should be available for discussion next week. The Board and staff discussed a request for proposal (RFP) process and weighed the options between an engineering audit versus a financial audit. The consensus of the Board was to direct staff to research cost estimates for both a narrower engineering audit of the bridge to include stage of completion and buy back costs, and a comprehensive audit regarding the Connect VI grant expenditures, prior to a scope of work.

There was discussion regarding next steps to address a LUBA decision against the county to award the appellant's attorney fees for litigation of the Stag Hollow bridge stay order. The consensus of the Board was not to appeal LUBA's decision. There was also discussion regarding a lease renewal with Steve Belt and the consensus of the Board was to direct staff to pursue a property lease renewal and to possibly be discussed further in an executive session if necessary.

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

1. **B.O. 21-120** - Approval of authorizing an exemption from competitive bidding for a sole source procurement under ORS 279B.075 to purchase custom bus stop poles/seats from Simme Seat for a bus stop installation project in the amount of \$51,940.

2. **B.O. 21-121** - Approval of Amendment #2 to Agreement #166061 between Yamhill County and the Oregon Health Authority (B.O. 21-76) for additional funding for the financing of Community Mental Health, Addiction Treatment, Recovery, & Prevention, and Problem Gambling Services in the amount of \$29,680, retroactive to January 1, 2021 through December 31, 2021.

3. **B.O. 21-122** - Agreement between Yamhill County and JK Painting and Contracting, LLC, for the painting and resealing of the Courthouse Complex in the amount of \$99,861, effective upon approval through July 16, 2021.

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**H. OLD BUSINESS:** None.

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

1. **B.O. 21-123** - Consideration of approval of the submission of a grant application for the 2021 Oregon Emergency Management State Homeland Security Program (SHSP) grants.

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

2. Discussion of Community Project Funding (CPF) requests to be submitted to Congresswoman Bonamici's office. (Commissioner Kulla)

Commissioner Kulla provided updates regarding the Parkway Committee's letter of support and funding request to Congresswoman Bonamici's office for the CPRD trail running alongside the Newberg/Dundee Bypass. There was no action taken.

**J. PUBLIC HEARINGS:**

1. Docket #PAZ-01-20: Consideration of approval of a comprehensive plan amendment from very low density residential (VLDR-2.5) to light industrial (LI). Applicant: AAA Group, LLC, Tax Lot: 4411-1000 and 1001, 3100 Lone Oak Road, McMinnville.

Commissioner Starrett opened the public hearing at 11:55 a.m. There were no abstentions or objections to the jurisdiction of the hearing. There were no statements of ex-parte contact or site visits. Todd Sadlo read the "raise it or waive it" statement required by ORS 197.763(5).

Stephanie Armstrong presented the staff report, stating that the applicant's request met the Comprehensive Plan goals and would not have significant transportation impacts. She noted the staff report came with conditions that the uses should be limited to the storage, sale, repair, or service of farm materials/equipment and that an application for site design review shall be submitted by the applicant for approval prior to any new development to existing structures.

The applicant attorney's Elaine Albrich and Olivier Jamin were present; Mr. Jamin stated he agreed with the Planning Commission's recommendation and asked the Board to approve the application. There was no additional testimony received either in favor or opposition of the applicant's request.

Ms. Armstrong stated no additional public agency reports had been received beyond what was already submitted to the record.

Ms. Armstrong gave the staff recommendation and stated that based upon staff report findings, the staff recommendation was to approve the request with a modified condition recommended by the applicant.

Commissioner Starrett closed the public hearing at 12:08 p.m.

Commissioner Kulla moved approval of item J1. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye. *[Tentatively approved; final written decision, conditions, and findings to be adopted on April 22, 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 12:17 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