

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 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; Todd Sadlo, Senior Assistant County Counsel; Ken Friday, Planning Director; Stephanie Armstrong, Senior Planner and Keri Hinton, BOC Staff (via Zoom).

Guests via Zoom: Abisha Stone, SEDCOR; Daniel Danicic, Yamhill Land Development Services, LLC.; Carol Foley; Charlene McCreight; Philip Higgins; Sheila Barnes; Patty Williams; Steve Holder; Champion Team; Marvin Bernards; Barbara Boyer and Anne.

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 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 email related to the Yamhelas Westsider Trail and second amendment ordinances.

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 15, 2021].*

Ken Huffer outlined the ODOT repayment options to which the Board directed staff to ask ODOT for a longer repayment term option which would also require ODOT to share the financial responsibility. Mr. Boenisch provided an update to the bus barn agreement sent to Mr. Belt which he hoped to received response for follow up next week. Mr. Huffer received revised Farline invoices for review.

B.O. 21-130 – Consideration of a motion directing staff not to appeal a LUBA award of attorney fees related to Stag Hollow Pedestrian Bridge construction.

Commissioner Starrett moved to not appeal attorney’s fees per the LUBA order. Mr. Huffer noted that repayment will occur upon receipt of an invoice or communication from LUBA. The motion passed, Commissioners Starrett and Berschauer voting aye, Commissioner Kulla voting nay.

b. End of Work Session.

2. a. Review/discussion of a request by SEDCOR regarding economic recovery in Yamhill County - Abisha Stone, SEDCOR

Ms. Stone stated that there had been an Economic Development Advisory Committee (EDAC) board meeting in early April where the members had worked with an outside source and had come up with recommendations and focus areas for economic recovery in Yamhill County. Ken Huffer added that neither funding nor guidelines have been received from the Treasury Department regarding the American Rescue Plan Act (ARPA) funds but noted that he hoped to have further discussion during Budget Committee meetings. The consensus of the Board was to schedule a work session to identify areas of priority for the ARPA funds on May 6, 2021.

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 & Grants

1. **B.O. 21-131** - Approval of Amendment #20 to Agreement #159833 between Yamhill County and Oregon Health Authority for Public Health Services (B.O. 19-222), adding funding in the amount of \$2,259,479 and revising language for the State Support Program Element #01 and federal award information, retroactive to July 1, 2019 through June 30, 2021.

2. **B.O. 21-132** - Approval of Service Element Prior Authorization (SEPA) Unit #42077203, Agreement #157846 between Yamhill County Health and Human Services and the Oregon Department of Human Services (BO. 19-221) for the financing of Community Developmental Disabilities Services in the amount of \$24, effective July 1, 2021 through June 30, 2023.

3. **B.O. 21-133** - Approval of Service Element Prior Authorization (SEPA) Unit #42255669, Agreement #157846 between Yamhill County Health and Human Services and the Oregon Department of Human Services (B.O. 19-221) for the financing of Community Developmental Disabilities Services in the amount of \$217,137,933, effective July 1, 2021 through June 30, 2023.
4. **B.O. 21-134** - Approval of Service Element Prior Authorization (SEPA) Unit #42538284, Agreement #157846 between Yamhill County Health and Human Services and the Oregon Department of Human Services (B.O. 19-221) for the financing of Community Developmental Disabilities Services in the amount of \$8,668,910, retroactive to July 1, 2019 to June 30, 2023.
5. **B.O. 21-135** - Approval of Amendment #1 to an agreement between the Yamhill County Sheriff's Office and the City of Willamina for police services, modifying the full contract amount to \$310,413.60, retroactive to July 1, 2020 through June 30, 2021.

Fees

6. **B.O. 21-136** - Adoption of a revised fee schedule for the Sheriff's Office effective upon approval.

H. OLD BUSINESS:

1. **B.O. 21-137** - Consideration of the adoption of Ordinance 914 in the matter of a Comprehensive Plan amendment from Very Low Density Residential to Industrial and a zone change from VLDR-2.5, Very Low Density Residential to LI, Light Industrial; and Imposition of a Limited Use Overlay; Planning Docket PAZ-01-20; Tax Lots: 4411-1000 and 4411-1001; Applicant: AAA Group LLC; and Declaring an Emergency.

Todd Sadlo read the first reading of Ordinance 914 into the record by title only. Hearing no objection, he read the second reading into the record by title only. Commissioner Kulla moved approval of item H1. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

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

1. **B.O. 21-138** - Consideration of the approval of a hosting service and updated licensing agreement between Yamhill County, acting by and through the District Attorney's office, and Karpel Solutions for the ProsecutorbyKarpel Case Management System in the amount of \$100/year, per user (27 users), plus a one-time charge of \$1,000 for data migration and annual support costs of approximately \$13,000, effective upon execution by all parties.

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

2. **B.O. 21-139** - Review of the 2020-21 Board of Property Tax Appeals (BoPTA) summary.

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

3. **B.O. 21-140** - Consideration of declaring a Ricoh multi-function printer as surplus from the Sheriff's Office to be replaced with a leased machine under the existing Ricoh contract.

Commissioner Berschauer moved approval of item I3. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

4. **B.O. 21-141** - Consideration of a letter of support for the Newberg/Dundee Bypass.

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

5. Discussion of a designee from Yamhill County to be appointed to the Regional Solutions Advisory Committee.

Consensus of the Board was to designate Commissioner Berschauer as the Yamhill County representative due to her liaison duties regarding Economic Development, no formal action was needed.

Ken Huffer addressed a vacancy on the Mid-Willamette Valley Area Commission on Transportation committee (MWACT). There was no action taken.

The meeting was recessed at 11:49 a.m. and reconvened at 11:57 a.m.

J. PUBLIC HEARINGS:

1. Docket #PAZ-01-21: Consideration of a Comprehensive Plan amendment from Very Low Density Residential (VLDR) to Industrial and a zone change from VLDR-2.5 to light industrial (LI). Applicant: Thomas Henry Stewart; Tax Lot: 3325BD-200; Location: 209 Highway 99W, Dundee.

Commissioner Starrett opened the public hearing at 11:58 a.m. There were no abstentions or objections to the jurisdiction of the hearing. There were no reports of ex-parte contact or site visits. Ken Friday read the "raise it or waive it" statement required by ORS 197.763(5).

Staff Report: Stephanie Armstrong presented the staff report and submitted into the record the staff's recommendation of approval of the application with conditions applied by the Planning Commission.

Applicant: The applicants representative Daniel Danicic responded to questions presented by the Board regarding the need for a zone change. He noted there was not a full economic analysis done as the area leans towards industrial and less residential. It was noted there was an existing structure on the parcel and the applicant intended to use the lot for commercial office space and construction equipment storage. There was no additional applicant testimony received during the hearing.

Appellant: There was no opposing testimony received during the hearing.

Public Agency Reports: Ms. Armstrong stated there were no additional public agency reports received outside of what was already submitted into testimony.

Applicant Rebuttal: There was no rebuttal received by the applicant.

Staff Recommendation: Ms. Armstrong submitted the staff's recommendation of approval of the application and the conditions applied by the Planning Commission.

Commissioner Starrett closed the public hearing at 12:21 p.m.

Deliberations: After discussion, the consensus of the Board was to not support this application. Ken Friday stated it would be up to the applicant to submit another application with additional information to support his request. Commissioner Kulla moved to deny the application. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye. Todd Sadlo stated that the final written decision and findings would be ready to be adopted on May 13, 2021 at 10:00 a.m. in a virtual meeting via Zoom.

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 12:30 p.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY STARRETT

Commissioner LINDSAY BERSCHAUER

Commissioner CASEY KULLA