

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 September 8, 2022, at 10:00 a.m. in Room 32 of the courthouse and a virtual meeting via Zoom, Commissioners Lindsay Berschauer, Casey Kulla and Mary Starrett being present.

Also present were Ken Huffer, County Administrator; Christian Boenisch, County Counsel; Carolina Rook, BOC Staff; Jessica Beach, Director of Community Justice; Nohley Barajas-Montalvo, Legal Assistant.

Guests: Kit Johnston, Abisha Stone, Adam Garvin, Todd Godfrey, Rich Leipfert, April Diviney, Bri Sischo, Patrice Donnelly. Kathleen Sitton appeared via Zoom.

Welcome! Thank you for attending today’s meeting. Public participation is encouraged. If you wish to address the Commissioners on any item not on the agenda, you may do so as part of the public comment period at the beginning of the meeting. If you desire to speak on any item, please raise your hand to be recognized after the Chair announces the agenda item. Please fill out a public comment card to indicate your intent to speak. NEW – Public participation also includes the ability to attend Formal Session via Zoom. For attendees that are attending the meeting via Zoom, the Chair will ask if any Zoom attendees wish to provide public comment in same manner as provided above. At that time, attendees will be asked to use the “raise hand” function in Zoom and staff will unmute the participant. Meetings will also continue to be available for view via a live stream on the Commissioners’ You Tube channel. Written public comments may be submitted via email at [cocinfo@co.yamhill.or.us](mailto:bocinfo@co.yamhill.or.us).

A. CALL TO ORDER: Commissioner Berschauer 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 September 12 – September 18, 2022. No other county business was discussed.

D. PUBLIC COMMENT: This time period is reserved for public comment on any topic other than: 1) agenda items, 2) A quasi-judicial land use matter, or 3) a topic scheduled for public hearing. The Chair may limit the length of individual comments.

There were no public comments received.

E. DEPARTMENT UPDATES: None.

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 – None.

G. CONSENT AGENDA:

Commissioner Starrett moved approval of the consent agenda. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

Minutes

1. **B.O. 22-273** - June 2, 2022; Formal/Informal Session;
B.O. 22-274 - June 9, 2022; Formal/Informal Session;
B.O. 22-275 - June 16, 2022; Formal/Informal Session;
B.O. 22-276 - June 23, 2022; Formal/Informal Session; and
B.O. 22-277 - June 30, 2022; Formal/Informal Session.

Contracts & Grants

2. **B.O. 22-278** - Approval of the quote and purchase of two Juniper switches from Structured in the amount of \$29,537.56.
3. **B.O. 22-279** - Approval of Amendment #1 between Yamhill County and Washington County for “space available” detention bed rental at the rate of \$168 per bed per day, retroactive to July 1, 2022 with an automatic renewal clause on a year-by-year basis.

H. OLD BUSINESS:

1. **B.O. 22-280** - Consideration of the adoption of the written decision, findings, and conditions in the matter of upholding the Planning Director’s decision to approve Planning Docket #C-28-21; A conditional use request to operate a nine (9) guestroom bed and breakfast facility as a home occupation. Applicant: Kellan Lancaster for 15660 Ground, LLC.

[Continued from July 14, 2022].

Commissioner Kulla moved approval of item H1. The motion passed, Commissioners Berschauer, Kulla, and Starrett voting aye.

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

1. **B.O. 22-281** - Consideration of approval of a contract employment agreement between Yamhill County and Christina Ferguson for administrative services in the amount of \$74.74 per hour, not to exceed 15 hours per week effective September 16, 2022, through June 30, 2023 with automatic renewal.

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

2. **B.O. 22-282** - Consideration of approval to submit an application for the FY2022-23 Emergency Management Performance Grant (EMPG), retroactive to September 4, 2022.

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

3. **B.O. 22-283** - Consideration of approval of a contract employment agreement between Yamhill County Sheriff's Office and Rodney S. Dunham to provide pre-employment background investigation services in the amount of \$45.00 per hour, retroactive to August 24, 2022, through June 30, 2023 with automatic renewal.

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

4. **B.O. 22-284** - Consideration of approval of a contract employment agreement between Yamhill County Sheriff's Office and William "Mike" Browne to provide pre-employment background investigation services in the amount of \$45.00 per hour, retroactive to August 24, 2022, through June 30, 2023 with automatic renewal.

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

5. **B.O. 22-285** - Consideration of approval of a quote and contract between Yamhill County Health and Human Services and Zoom Video Communications for telemedicine and group meetings in the amount of \$168,070 effective upon approval for three years.

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

6. Consideration of Secure Rural Schools and Community Self Determination Act (SRS) County Allocation.

Ken Huffer explained that this item did not require a Board action but he requested a consensus from the Board to determine allocation of the USDA funding. He recommended continuing the 85% - 15% split between roads/schools and Title II to which the Board was in consensus to maintain. There was no action taken.

7. **B.O. 22-286** - Consideration of approval in the matter of an order vacating a portion of a public road at the request of Lea J. Gillette and Alban H. Debeaulieu without a public hearing, Public Works Docket # RV-2-2022.

Commissioner Berschauer moved approval of item I7. The motion passed, Commissioners Berschauer, Kulla, and Starrett voting aye.

8. **B.O. 22-287** - Consideration of approval in the matter of an order vacating a portion of a public road at the request of Stephen A. Walker and Mary L. Walker without a public hearing, Public Works Docket # RV-4-2022.

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

9. **B.O. 22-288** - Consideration of approval to submit a grant application for the Criminal Justice Commission Justice Reinvestment (JRI) Capacity Building Grant.

Jessica Beach provided clarification on the amount set aside for this program and the intent to assist with local jurisdictions. She explained how the money is distributed and what organizations it assists. Commissioner Berschauer moved approval of item I9. The motion passed, Commissioners Berschauer, Kulla, and Starrett voting aye.

10. Discussion regarding ballot measure to create a new fire district combining the current City of McMinnville and McMinnville Rural service areas. (Commissioner Berschauer).

Christian Boenisch stated the City of McMinnville has asked to move forward on the district formation process; he outlined the Board's role to initiate the formation process in combination with a required resolution by the city to be placed on the ballot in May 2023. Ken Huffer added that an agreement would be negotiated with the city to recoup any associated costs incurred by the county. After discussion, the consensus of the Board was to go forward with the resolution to be placed on the ballot in May 2023. There was no action taken.

11. Discussion of Commercial Property Assessed Clean Energy (C-PACE) Program.

Commissioner Berschauer summarized that this program has been adopted by the state and that staff is looking to other counties to see how this has been implemented. Commissioner Starrett shared her concern of the workload that would be put onto staff. Abisha Stone of SEDCOR joined the conversation and provided clarification that C-PACE includes projects that could benefit from access to the private funding of borrowed capital. She explained the reason the county would require adoption of an ordinance for this process due to a process required through the Assessor's office. She detailed the Board's options to consider and explained the lien process for the program. There was question and discussion as to why it needs to be through Ordinance with the County. Ken Huffer clarified what he needs direction on from the Board and that he believes the county has the resources to do this but just needs to know if there is consensus from the Board to continue forward and working towards administering this program. After further discussion, it was the consensus of the Board to invite those who can answer the Board's more technical questions and provide a summary of how the program works during formal session on October 6th.

12. **B.O. 22-289** – Consideration of approval of the HB 4004 Workforce Stability Grant Plan.

Ken Huffer provided an update on his discussions with the AFSCME Union related to HB 4004. Mr. Huffer explained the process for fund distribution within this fiscal year.

Commissioner Berschauer moved approval of item I12. The motion passed, Commissioners Berschauer, Kulla, and Starrett voting aye.

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

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 11:42 a.m.

Megan Marasco
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair LINDSAY BERSCHAUER

Commissioner CASEY KULLA

Commissioner MARY STARRETT