

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 29, 2022, at 10:00 a.m. in 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; Jodi Gollehon, Assistant County Counsel II; Nohely Barajas-Montalvo, Legal Assistant; Ken Friday, Planning Director and Lance Woods, Associate Planner.

Guests via Zoom: John Hook; Peter Hayes; Kit Johnston and Kelli Watcherson.

***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 [bocinfo@co.yamhill.or.us](mailto:bocinfo@co.yamhill.or.us).*

**A. CALL TO ORDER:** Commissioner Berschauer called the meeting to order at 10:15 a.m. The meeting started late due to technical difficulties.

**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 October 3 - October 9, 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 Kulla moved approval of the consent agenda. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

Contracts & Grants

1. **B.O. 22-309** - Approval of an agreement between Yamhill County and Hicks Striping & Curbing, LLC. for the Yamhill County 2022 Road Striping Project in the amount of \$288,547.50 upon notice to proceed through October 31, 2022.

Committees

2. **B.O. 22-310** - Approval to appoint KathyAnn Meier to the Mental Health and Developmental Disabilities Advisory Committee for a four-year term to expire May 1, 2026.

3. **B.O. 22-311** - Approval to reappoint Frank Sheridan, Heather Richards, Ken Moore and Scott Essin to the Yamhill County Transit Advisory Committee (YCTAC), each to a three-year term expiring on June 30, 2025.

Surplus

4. **B.O. 22-312** - Approval to declare vehicle units #102, 102S, 116V and 201 as surplus and authorize staff to dispose of via auction per county policy.

---

**H. OLD BUSINESS:** None.

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

1. **B.O. 22-313** - Consideration of approval in the matter of amending Board Order 22-304 to add an additional tax lot to the Tax-Foreclosed Property Auction List.

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

2. **B.O. 22-314** - Consideration of approval of Intergovernmental Agreement #73000-00005220 between Yamhill County and the Oregon Department of Transportation (ODOT) for Phase 2 of the Oregon Route-18 Newberg-Dundee Bypass project effective upon approval with an end date of five-calendar years following the date of final execution.

Ken Huffer stated review was held with ODOT to finalize the agreement. Commissioner Starrett moved approval of item I2. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

3. **B.O. 22-315** - Consideration of approval of the corrections made to the OSU Extension Services District LB-1 form and Schedule of Appropriations.

Kelli Watcherson stated the LB-1 and Schedule of Appropriations were corrected according to state tax laws. Commissioner Berschauer moved approval of item I3. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

4. **B.O. 22-316** - Consideration of approval of a grant agreement between Yamhill County and Sheridan School District 48J for the Support Design and Professional Services program activities for Phase 1 of the Barbara Roberts Career Technical School project in the amount of \$1,400,000 effective for twelve months upon full execution.

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

5. **B.O. 22-317** - Consideration of approval of a letter to be submitted to the Oregon Health Authority, Public Health Division regarding the repeal of COVID-19 vaccination requirements for teachers and school staff. (Commissioner Starrett).

Commissioner Starrett outlined the proposed letter to be submitted to OHA. After discussion, Commissioner Starrett moved approval of item I5. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

#### **J. PUBLIC HEARINGS:**

1. Docket #SU-02-22: A “similar use” interpretation of the Yamhill County Zoning Ordinance (YCZO) to add the following use: “Operations conducted for the exploration of aggregate resources, subject to the requirements in section 404.10” to the list of permitted uses in the RC, Recreation Commercial zoning district. This request was also subject to site design review and the mineral resources exploration permit standards provided in section 404.10 of the YCZO. Applicant: Turner Rock Products, LLC.; Appellant: Kenneth Mills.

Commissioner Berschauer opened the public hearing at 10:18 a.m.

There were no abstentions or objections to the jurisdiction of the matter. There were no reports of ex-parte contact or conflict of interests. Ken Friday read the raise-it or waive-it law under ORS 197.763. Mr. Friday requested the Board continue the hearing to November 3, 2022 at the point of Staff Report for the purpose of notification to citizens in an RC Zone and surrounding areas. Commissioner Berschauer moved approval of the request as presented. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

The public hearing was recessed at 10:24 a.m.

#### **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 10:56 a.m.

Carolina Rook  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Chair LINDSAY BERSCHAUER

\_\_\_\_\_  
Commissioner CASEY KULLA

\_\_\_\_\_  
Commissioner MARY STARRETT