

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 17, 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; Nohely Barajas-Montalvo, Legal Assistant; Brad Berry, District Attorney; Colton Totland, Assistant County Counsel; Jason Foose, County Surveyor; and Lindsey Manfrin, HHS Director.

Guests via Zoom: Catherine Reinhart; Beth Rankin; Carol & Dwayne Sharp; Don Schmidt; Lauren Thorsen; Sheila Barnes; Marvin Bernards; and Dayna Gilbert.

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 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 February 21 – February 27, 2022. 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 were received via e-mail regarding item I10.

E. DEPARTMENT UPDATES: District Attorney’s Office – Brad Berry

Mr. Berry addressed an increase in referred and filed misdemeanors resulting from Measure 110 and COVID19. He highlighted commutations, pardons, and clemencies,

noting an increase during Governor Brown's office term. Mr. Berry addressed legislation impacting the DA Office's caseloads such as Ballot Measure 110 which resulted in increased misdemeanors and property crimes and a significant increase in drug overdoses which he attributed to counterfeit opioids.

He noted some office challenges resulting in increased workloads were due high level of pending cases with difficulty of getting jury trials. Mr. Berry reported unmanageable misdemeanor caseloads and added that public defender funding had increased significantly impacting the DA /prosecutor workload.

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: None.

H. OLD BUSINESS: None.

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

1. **B.O. 22-42** - Consideration of approval of a contract employee agreement between Yamhill County and Stephanie Armstrong in the amount of \$50 per hour not to exceed 80 hours per month effective February 11, 2022 through June 30, 2023.

Ken Huffer stated Ms. Armstrong would provide fill-in assistance while the Planning Director continues to recruit a permanent position. Commissioner Starrett moved approval of item I1. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

2. **B.O. 22-43** - Consideration of approval of an order vacating a portion of a public street at the request of Kim M. Greene, without a public hearing, public works docket RV-5-2021.

Colton Totland stated the road vacation would encompass the portion of the owner's property that is being vacated and didn't anticipate any appeals. Commissioner Starrett moved approval of item I2. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

3. **B.O. 22-44** - Consideration of approval of Amendment #5 to Agreement #169533 between Yamhill County and the Oregon Health Authority for Public Health Services (B.O. 21-248) in the amount of \$76,500.

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

4. **B.O. 22-45** - Consideration of approval of Change Order #1 to the Agreement between Yamhill County and Integrity Builders (B.O. 21-448) in the amount of \$29,009.

Ken Huffer stated the improvements were related to the Health and Human Services property located in Newberg. Commissioner Starrett moved approval of item I5. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

5. **B.O. 22-46** - Consideration of approval of the Local Mental Health Authority, Local Public Health Authority and Coordinated Care Organization agreement between Yamhill County and Yamhill County Care Organization, retroactive to January 1, 2022 through December 31, 2022, replacing the agreement approved under B.O. 20-455.

Lindsey Manfrin responded to questions regarding needle exchange program data outcomes which is administered through Provoking Hope. She provided recent raw data pertaining to the program's performance but noted that a formal report would be presented in the summer with the proposal of a Provoking Hope contract renewal. After discussion, Commissioner Starrett moved approval of item I5. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

6. **B.O. 22-47** - Consideration of approval of Amendment #2 to the Administrative Services Agreement between Yamhill County Health and Human Services and Yamhill Community Care Organization (B.O. 20-456), retroactive to January 1, 2022 through June 30, 2022.

Commissioner Starrett moved approval of item I6. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

7. **B.O. 22-48** - Consideration of approval of Amendment #2 to the Provider Agreement between Yamhill County Health and Human Services and Yamhill Community Care Organization (B.O. 20-457), retroactive to January 1, 2022 through December 31, 2022.

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

8. **B.O. 22-49** - Consideration of approval of the Business Associate Agreement between Yamhill County Health and Human Services and Yamhill Community Care Organization retroactive to January 1, 2022.

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

9. **B.O. 22-50** - Consideration of the appointments to the Local Public Safety Coordinating Council (LPSCC) each for a term to expire July 2024.

- a. Cecilia Martinez – Victim's Service Manager to replace position vacated by Debra Bridges.
- b. Jason Henness – HHS Deputy Director to replace HHS Director Lindsey Manfrin.
- c. Jeremy Ruby – Jail Captain – Non-voting member to replace Captain Richard Geist.

Commissioner Starrett moved approval of item I9. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye.

10. **B.O. 22-51** - Consideration of approval of a letter to Yamhill County Superintendents regarding school mask policies.

Commissioner Berschauer addressed the letter in response to the Oregon Health Authority's decision to rescind masking requirements as of March 31, 2022. She said the letter was to notify county superintendents that Yamhill County would not be enforcing any mask mandates or guidelines. After discussion, Commissioner Starrett moved approval of item I10. The motion passed, Commissioners Berschauer and Starrett voting aye, Commissioner Kulla voting nay.

J. PUBLIC HEARINGS:

1. Consideration of a mass gathering permit application for the 2022 Memorial Weekend Boat Races event on May 27th, 28th, 29th and 30th, 2022. Applicant: Newberg Boat Club/Columbia Outboard Racing Association.

Commissioner Berschauer opened the public hearing at 11:25 a.m.

Applicant: Don Schmidt stated this would be the 74th event year and asked the Board to consider approval of the application. Christian Boenisch noted that the Board historically reduced the application fee to \$250 for the fundraising event. Mr. Schmidt noted the association continued to make charitable donations to community programs last year despite not meeting their typical revenue goals due to COVID-19.

Lauren Thorsen stated she was in favor of the application.

Dwayne Sharp stated his support of the application.

Catherine Reinhart stated her support of the application.

Appellant: There was no testimony received in opposition of the application.

Commissioner Berschauer closed the public hearing at 11:40 a.m.

Deliberation: Commissioner Starrett moved approval of the mass gathering application with the reduction of the application fee to \$250. The motion passed, Commissioners Berschauer, Kulla and Starrett voting aye. ***[Tentatively approved; final written decision, conditions, and findings to be adopted at a date to be advised].***

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 11:57 a.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair LINDSAY BERSCHAUER

Commissioner CASEY KULLA

Commissioner MARY STARRETT