

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 formal session on June 28, 2018, at 10:00 a.m. in Room 32 of the courthouse, Commissioners Mary Starrett, Richard L. "Rick" Olson and Stan Primozych being present.

Also present were Laura Tschabold, County Administrator; Ken Huffer, Deputy County Administrator; Christian Boenisch, County Counsel; Mikalie Frei, County Counsel staff; Carrie Martin, Grants and Special Projects; Ken Friday, Planning Director; Stephanie Armstrong, Associate Planner; Dave Adams, KLYC Radio; Nicole Montesano, News-Register; and others as listed on the sign-in sheet.

Commissioner Starrett called the meeting to order at 10:00 a.m. The invocation was offered by Dr. Ryan Connor.

A. PUBLIC COMMENT: This thirty-minute 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. Unless extended or restricted by the Chair or majority of the Board, public comment will be limited to three minutes per person.

B. CONSENT AGENDA:

Contracts/Grants

1. **B.O. 18-218** - Approval of an agreement for Police and Code Enforcement Services between Yamhill County and the City of Willamina, in the amount of \$199,457.03 effective July 1, 2018 through June 30, 2019.
2. **B.O. 18-219** - Approval of an agreement for Police and Code Enforcement Services between Yamhill County and the City of Dayton, in the amount of \$131,361.53 effective July 1, 2018 through June 30, 2019.
3. **B.O. 18-220** - Approval of an agreement for Police and Code Enforcement Services between Yamhill County and the City of Sheridan, in the amount of \$397,991 effective July 1, 2018 through June 30, 2019.
4. **B.O. 18-221** - Approval of an agreement for Police and Code Enforcement Services between Yamhill County and the City of Lafayette in the amount of \$263,751 effective July 1, 2018 through June 30, 2019.

5. **B.O. 18-222** - Approval of the proposed 2018-19 Health and Human Services Behavioral Health Usual and Customary Rates, Public Health Clinic Rates, and the Environmental Health Fees.
6. **B.O. 18-223** - Approval of amendment #2 to the agreement between Yamhill County Health & Human Services and Yamhill Valley Treatment (B.O. 17-249) dba Provoking Hope in the amount of \$892,607.
7. **B.O. 18-224** - Approval of amendment #4 to the agreement between Yamhill County and the Department of Human Services (B.O. 15-297) for the financing of our Community Developmental Disabilities program retroactive to January 1, 2018.
8. **B.O. 18-225** - Approval of the agreement between Yamhill County Health & Human Services and Washington County for the Cities Readiness Initiative for \$25,726.
9. **B.O. 18-226** - Approval of the amendment to the master subscription agreement between Yamhill County Health & Human Services and Relias Learning (B.O. 17-288) for \$2,380.
10. **B.O. 18-227** - Approval of amendment #8 to the agreement between Yamhill County and the Oregon Health Authority #154134 (B.O. 17-225) for \$737,093 effective July 1, 2018 through June 30, 2019.
11. **B.O. 18-228** - Approval of amendment #1 to the agreement between Yamhill County Health & Human Services and Cheri O'Halloran (B.O. 17-07) for costs of guardianship services not to exceed \$4,500.
12. **B.O. 18-229** - Approval of amendment #2 to the agreement between Health & Human Services and Licensed Medical Provider Marianne Barker (B.O. 16-112) effective July 9, 2018.
13. **B.O. 18-230** - Approval of amendment #5 to the agreement between Health & Human Services and Licensed Medical Provider Jennifer Behnke (B.O. 12-537) effective July 9, 2018.
14. **B.O. 18-231** - Approval of amendment #4 to the agreement between Health & Human Services and Licensed Medical Provider Jeanne Dalton (B.O. 12-206) effective July 9, 2018.
15. **B.O. 18-232** - Approval of amendment #1 to the agreement between Health & Human Services and Licensed Medical Provider Donald Henschel (B.O. 17-156) effective July 9, 2018.
16. **B.O. 18-233** - Approval of amendment #1 to the agreement between Health & Human Services and Licensed Medical Provider Chris Kagay (B.O. 17-363) effective July 9, 2018.
17. **B.O. 18-234** - Approval of amendment #1 to the agreement between Health & Human Services and Licensed Medical Provider Andrea Kessinger (B.O. 16-184) effective July 9, 2018.
18. **B.O. 18-235** - Approval of amendment #3 to the agreement between Health & Human Services and Licensed Medical Provider William Koenig (B.O. 12-371) effective July 9, 2018.
19. **B.O. 18-236** - Approval of amendment #1 to the agreement between Health & Human Services and Licensed Medical Provider Karen Peters (B.O. 16-458) effective July 9, 2018.

20. **B.O. 18-237** - Approval of amendment #3 to the agreement between Health & Human Services and Licensed Medical Provider Shirley Roffe (B.O. 14-265) effective July 9, 2018.
21. **B.O. 18-238** - Approval of amendment #6 to the agreement between Health & Human Services and Licensed Medical Provider Jannell Werner (B.O. 13-340) effective July 9, 2018.
22. **B.O. 18-239** - Approval of amendment #1 to the agreement between Health & Human Services and Licensed Medical Provider Gayle Woosley (B.O. 16-159) effective July 9, 2018.
23. **B.O. 18-240** - Approval of a 90 day extension to the agreement between Yamhill County Solid Waste and Parametrix (B.O. 18-10) to prepare post-closure maintenance cost analysis and financial assurance documents for the Whiteson and Newberg closed landfills. Extension effective June 30, 2018 through September 30, 2018.
24. **B.O. 18-241** - Approval of agreement between Sheriff's Office and Command Sourcing, Inc. for the purchase of a Smiths' Detection B-Scan 16HRFB Body Scanner and related software and equipment (B.O. 18-35).
25. **B.O. 18-242** - Approval of authorizing the County Administrator to sign the Audit Engagement letter with Boldt, Carlisle & Smith for the fiscal year 2017-18 county audit.

Committees

26. **B.O. 18-243** - Approve the following changes to the Yamhill County Local Public Safety Coordinating Council (LPSCC):
 - a. Appoint Jeff Mekkers, term to expire July, 2021.
 - b. Accept the resignation of Preston Hill.

The following persons are being reappointed per the state statute (ORS 423.560): Jessica Beach, Debra Bridges, Perrin Damon and Silas Halloran-Steiner.

Letters

27. **B.O. 18-244** - Approval of a grant letter of support to the McMinnville American Viticultural Area (AVA) grant application.

Resolution

28. **B.O. 18-245** - Consideration of the approval of Resolution 18-6-28-1 adopting the Yamhill County budget for fiscal year 2018-19 in the amount of \$153,086,647, setting appropriations in the amount of \$138,029,214, and levying taxes at the rate of \$2.5775 per \$1,000 assessed value.
29. Consideration of adopting Resolution 18-6-28-2 in support of Yamhill County's 175th Anniversary on July 5, 2018. ***[Removed from consent agenda; moved to Other Business item D2].***

Commissioner Primozich made a motion to approve the consent agenda with the removal of item #29 and moved to Other Business. Commissioner Olson moved to approve the consent agenda with changes as requested by Commissioner Primozich. The motion passed, Commissioners Starrett, Olson and Primozich voting aye.

C. **OLD BUSINESS:** None.

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

1. **B.O. 18-246** - Consideration to approve amendment #2 to the contract employee agreement between Yamhill County and Mike Brandt (B.O. 16-311), effective July 1, 2018 through June 30, 2019.

Commissioner Primozich made a motion to approve item D1 as presented. The motion passed, Commissioners Starrett, Olson and Primozich voting aye.

2. **B.O. 18-247** - Consideration of adopting Resolution 18-6-28-2 in support of Yamhill County's 175th Anniversary on July 5, 2018.

Commissioner Primozich made a motion to approve item D2 as presented. The motion passed, Commissioners Starrett, Olson and Primozich voting aye.

E. **PUBLIC HEARINGS:**

1. Docket NFD-01-17: Applicant: Linda Lindsay. An appeal of the Planning Director's approval of a dwelling not in conjunction with farm use (non-farm dwelling). *[Motion to approve passed unanimously. Final written decision, conditions and findings to be adopted on July 19, 2018].*

Commissioner Starrett opened the public hearing at 10:07 a.m.

There were no abstentions or objections from staff. Mr. Friday read the land use statement regarding the requirements that all parties must raise all issues at the public hearing or waive their right to raise the issues on appeal.

Staff Report:

Ms. Armstrong presented the staff report regarding the parcel of land being considered for development.

Proponents:

Caitlin Shin gave a self-introduction as attorney for the applicant, Linda Lindsey.

Opponents:

James Reitz provided handouts for the Board regarding water supply wells in proximity to the applicant's property. He shared concerns regarding increased traffic and road maintenance. He suggested a two way traffic option up to the property driveways and signage directing non-resident traffic to limit trespassing. He is willing to work with his neighbors to find a mutual agreement.

Rebuttal:

Applicant attorney Elaine Albrich, addressed comments following applicant's submission. The applicant and attorney met with the county and fire inspector regarding property fire safety. Buena Vista Road dead ends and Lupenski property due to self-placed barriers. Ms. Albrich requested that the board moves forward with decision and deny the continuance and stated on record, the commitment by neighbors to negotiate a mutual maintenance agreement.

Mr. Friday asked the applicant if they would like to leave the record open for 7 days, the answer was no.

Commissioner Primozich asked if there has been any contact between applicant and the opponent. The answer was no.

Public Agency Comments: None

Rebuttal:

Ms. Albrich commented on the water supply issue presented by Mr. Reitz. Commissioner Starrett asked if there has been any independent water study. Ms. Albrich reports none to date.

Staff Recommendations:

Recommends approval with amendment cited in May 3rd decision letter with addition of condition that the applicant shall initiate discussion with residents on Buena Vista Dr. regarding a road maintenance agreement and signage that would note the dead-end road with no turnaround.

Commissioner Starrett closed the public hearing at 10:38 a.m.

Commissioner Primozich moved to approve Docket NFD-01-17 with the conditions as presented by the Planning Department. Commissioner Olson voiced concern that the applicant did not initiate communication with the neighbors but supports Commissioner Primozich's motion.

The motion passed, Commissioners Starrett, Olson and Primozich voting aye.
Final adoption of the docket approval in 3 weeks (July 19, 2018).

2. **B.O. 18-248** - Docket G-02-18: Required Amendments to the zoning ordinance to allow Accessory Dwelling Unit's (ADU's) within the Urban Growth Boundary (UGB).

Commissioner Starrett opened the public hearing at 10:42 a.m.

Staff Report:

Ms. Armstrong presented the staff report regarding ADU's in zoning areas permitted for single family dwellings.

Public Comment:

Lloyd Byrd commented about a camper living on property adjacent to Ms. Byrd's property.

Mr. Friday stated that since her residence is within city limits, he will forward Ms. Byrds's contact information to the city for follow up.

Mr. Friday noted that this bill that was passed to focus on additional housing. The ordinance was imposed by the city due to the emergency housing situation.

Staff Recommendations:

Ms. Armstrong recommends approval of the proposed ordinance.

Commissioner Starrett closed the public hearing at 10:50a.m.

Mr. Boenisch gave the first reading of Ordinance 906 by title only.

Commissioner Primozych made a motion to approve the ordinance as presented. Mr. Boenisch provided the 2nd reading of Ordinance 906 by title only. The motion passed, Commissioners Starrett, Olson and Primozych all voting aye.

F. ANNOUNCEMENTS:

1. For information on county advisory committee vacancies, please refer to the county's website, www.co.yamhill.or.us/content/volunteer-opportunities , or call the Board of Commissioners' office at 503-434-7501 or 503-554-7801 (toll-free from Newberg).

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

Following Commissioner announcements, the meeting adjourned at 10:51a.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS


Chair MARY STARRETT


Commissioner RICHARD L. "RICK" OLSON
Unavailable for signature

Commissioner STAN PRIMOICH

Accepted by Yamhill County
Board of Commissioners on
8/23/18 by Board Order
18-306