

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 29, 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; Jason Foose, County Surveyor and Keri Hinton, BOC Staff (via Zoom).

Guests via Zoom: Sheila Barnes; Megan Ramos; Kim Hamblin; Madeline Bishop; Beth Rankin; Erin Chen; Yvette Potter, Mayor of Yamhill; Walt Gowell; Mary Camarata, DEQ and Philip Higgins.

*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](mailto: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.*  
General public comments were received via email and were related to the renewal of county teleworking policies.
- 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.

B.O. 21-216

1. Work Session –

- a. Review/discussion of 185 S. Maple Street property in the City of Yamhill.

Mary Camarata of DEQ provided a cleanup status on the property. A ground survey revealed gas tank locations and determined that the existing commercial structure should be removed to access abutting adjacent tanks. Ms. Camarata assured the house standing on the same tax lot was not part of the demolition plan. Mayor Potter, City of Yamhill, was in favor of removing the commercial structure to allow DEQ to do as much decommission work as possible prior to the city assuming ownership of the property. The consensus of the Board was to direct Ms. Camarata to move forward with the demolition of the existing commercial structure and removal of all tanks. There was consensus by the Board to hold an executive session after combined session to discuss the disposition of the property.

2. Work Session –

- a. Review/discussion of next steps for Yamhelas Westsider Trail bridge project, master planning and grants. *[Continued from April 22, 2021].*

The Board and staff discussed the sale/lease options of the bus barn property to Steven Belt. The consensus of the Board was to direct staff to continue a month-to-month lease pending further discussion to review other options.

Ken Huffer provided an update on the repayment status to state parks noting he was able to negotiate an extension to the end of May. The status of bonding liability to Farline Bridge, Inc. and bridge decommissioning were discussed. The consensus of the Board was to direct staff to discuss a bridge decommission agreement with Farline Bridge, Inc.

**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.

1. **B.O. 21-142** - Approval of Amendment #1 to an agreement between Juvenile Detention and Clatsop County (B.O. 19-217) for “guaranteed beds” at the rate of \$168 per bed per day, effective July 1, 2021 through June 30, 2022.

2. **B.O. 21-143** - Approval of a contract employee agreement between Yamhill County Health and Human Services and Craig Hinrichs at the rate of \$68.29/hr., for an average of 19 hours per week, effective May 1, 2021 through June 30, 2022 with automatic annual renewals.

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**H. OLD BUSINESS:** None.

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

1. **B.O. 21-144** - Consideration of an Intergovernmental Agreement between Yamhill County and the City of Carlton for the shared cost of paving a segment of Panther Creek Road as part of the City’s waterline replacement project, in the amount of \$196,489.

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

2. **B.O. 21-145** - Consideration to authorize Yamhill County Health and Human Services Director or designee to submit an application for funding from the Oregon Health Authority to support increased access to substance use disorder services up to \$650,000.

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

3. **B.O. 21-146** - Consideration of approval of a contract employee agreement between Yamhill County and Jesus Sayago at the rate of \$25 per hour, not to exceed 10 hours per week as the backup operator for Cove Orchard Sanitary Sewer District (COSSD), effective through June 30, 2022 with automatic annual renewals.

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

4. **B.O. 21-147** - Consideration of authorizing position authority reallocating 1.0 FTE Civil Deputy to Deputy Sheriff in the Sheriff's Office.

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

5. **B.O. 21-148** - Consideration of approval of a lease agreement between Yamhill County and Sima Enterprises, LLC. for the Health and Human Services Newberg office at the monthly rate of \$3,739, effective May 1, 2021 with a 30-day written notice of termination, subject to final review and approval by County Counsel.

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

6. **B.O. 21-149** - Consideration of approval of the Subordination, Non-Disturbance and Attornment Agreement between Yamhill County and Sima Enterprises, LLC., subject to final review and approval by County Counsel.

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

7. **B.O. 21-150** - Consideration of approval of the Tenant Estoppel Certificate between Yamhill County and Sima Enterprises, LLC., effective May 1, 2021, subject to final review and approval by County Counsel.

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

8. **B.O. 21-151** - Consideration of the submission of an application for the 2021-2022 Yamhill County Assessment Function Funding Assistance (CAFFA) Grant Application in the amount of \$2,845,971.

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

9. **B.O. 21-152** - Consideration of approval of an Immediate Opportunity Fund Agreement between Yamhill County and ODOT for Oregon 99W road improvements, not-to-exceed \$724,500, effective upon full execution by all parties.

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

10. **B.O. 21-153** - Discussion of a letter to Governor Brown opposing ongoing county lockdowns.

Commissioner Berschauer moved approval of item I10. The motion passed, Commissioners Starrett and Berschauer voting aye, Commissioner Kulla voting nay.

11. Discussion of FY2022 Congressionally Directed Spending request. (Commissioner Berschauer).

Commissioner Berschauer presented the request from Senator Ron Wyden and Senator Jeff Merkley for shovel-ready earmark projects. The consensus of the Board was for Commissioner Berschauer to work with lobbyist Michelle Giguere to submit an earmark request for the completion of the Newberg/Dundee bypass. There was no formal action taken.

12. **B.O. 21-154** - Consideration of approval of submitting a request for Senate District 12 Local Community Investment ARPA funds to be used for the Yamhill County Rural Broadband project in the amount of \$1,720,000. (Commissioner Starrett).

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

13. **B.O. 21-155** - Discussion of a letter of support of the Bonding Authorization for the Newberg/Dundee Bypass in SB5534.

Commissioner Berschauer moved approval of item I13. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

14. **B.O. 21-156** – Reconsideration of the Board’s decision to deny Planning Docket PAZ-01-21 and continuation of the hearing for approximately one month (following new public notice) to allow the applicant to submit additional evidence and testimony and to otherwise complete the hearing process.

Commissioner Kulla moved approval of item I14. The motion passed, Commissioners Starrett, Berschauer and Kulla 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](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 12:11 p.m.

Carolina Rook  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

  
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Chair MARY STARRETT

  
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Commissioner LINDSAY BERSCHAUER

  
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Commissioner CASEY KULLA

Accepted by Yamhill County  
Board of Commissioners on  
6/3/21 by Board Order  
# 21-216