

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 March 9, 2023, at 10:05 a.m. in Room 32 of the Yamhill County Courthouse and in a virtual meeting via Zoom, Commissioners Lindsay Berschauer, Kit Johnston and Mary Starrett being present.

Also present were Ken Huffer, County Administrator; Christian Boenisch, County Counsel; Jodi Gollehon, Assistant County Counsel II; Ken Friday, Planning Director; Brian Young, Emergency Manager; Carrie Martin, Grants & Special Projects; Lindsey Manfrin, HHS Director; Cynthia Thompson, Transit Manager; Jason Foose, Surveyor; and Carolina Rook; BOC Staff. Nohely Barajas-Montalvo, Legal Assistant, participated via Zoom.

Guests: Dennis McElroy, Marianne Thomson, Truman Stone, Remy Drabkin, Jody Christensen, Howie Harkema, Rich Leipfert, and Heidi Bell. Adam Garvin, Joni Zimmerman, Todd Godfrey, and Lee Schrepel participated 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 10:05 a.m.

**B. FLAG SALUTE**

**C. CALENDAR SESSION:** This time is reserved for the review of the Commissioners’ joint schedule (if needed).

The Commissioners reviewed the joint schedule for the week of March 13 – March 19, 2022. No other county business was discussed.

BO. 23-272.

**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.

Public comments were received via email regarding the emergency declaration on homelessness. No other public comments were received.

**E. DEPARTMENT UPDATES:**

a. Transit – Cynthia Thompson

Cynthia Thompson opened the discussion by informing the Board that the Transit Department does not currently have a policy in place for contributions; however, in the interim she implemented 5% contribution annually.

Commissioner Berschauer provided to the rest of the Board that she was informed about an increase in complaints therefore, she asked Ms. Thompson to explain how the complaint process works. Ms. Thompson said the complaints are not usually safety related and more related to the pick-up/drop-off times and locations. The complaint procedure has been revised and includes methods to help identify who should be the complaint owner. After the complaint owner is identified the complaint is then investigated, and the complainant is usually contacted prior to closing the complaint.

Ms. Thompson said that in recent years, the development of Realtime Smart Time Technology has given the Transportation Department the ability to have recording equipment installed on 15 of its buses. In a complaint driven situation, it has been extremely helpful to review the video footage.

Ms. Thompson said there has been a 24% increase in rides and in the past years the average rides have been 280 thousand rides per year; however, the county is currently around 180 thousand rides annually.

Ms. Thompson also addressed a significant amount of supply chain issues with regards to attaining mid-size buses. The state is actively working on revising grant agreements; however, Ms. Thompson said that she is not impressed with the alternative options. The new transit signage is expected to be posted in the Summer of 2023. Lastly, she noted that she is eager to finalizing the customer conduct policy which will give management the ability to expel riders for a limited duration and/or indefinitely.

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

### Minutes

1. a. **B.O 23- 80** - October - 6, 2023 – Formal/Informal Session;  
b. **B.O 23- 81** - October 13, 2022 – Formal/Informal Session;  
c. **B.O 23- 82** - October 20, 2022 – Formal/Informal Session; and  
d. **B.O 23- 83** - October 27, 2022 – Formal/Informal Session.

### Personnel

2. **B.O 23- 84** - Approval to authorize Leave Without Pay (LWOP) for employee #5020 retroactive to February 23, 2023, with an anticipated return to work date of March 8, 2023.
3. **B.O 23- 85** - Approval to authorize Leave Without Pay (LWOP) for employee #4697 retroactive to March 2, 2023 with an anticipated return to work date of March 31, 2023.

### Contracts & Grants

4. **B.O 23- 86** - Approval of Amendment #2 to Agreement #169226 between Yamhill County and the Oregon Department of Human Services for the financing of Community Developmental Disability Program Services (B.O. 21-300) effective upon final execution through June 30, 2023.
5. **B.O 23- 87** - Approval of a quote and purchase of annual Adobe license renewals from CDW in the amount of \$31,898.68.

### Miscellaneous

6. **B.O 23- 88** - Approval to submit a Notice of Measure Election to the Clerk’s Office for the formation of a new McMinnville Fire District.

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The meeting recessed at 10:49 a.m. and reconvened at 11:01 a.m.

### **H. OLD BUSINESS:**

1. **B.O 23- 89** - Consideration of approval of a Personal Services Agreement between Yamhill County and Coates Kokes for the development of a fentanyl awareness campaign in the amount of \$72,000 effective upon execution through March 1, 2024. *[Continued from February 16, 2023].*

Lindsey Manfrin opened the discussion by informing the Board that she believes the Yamhill County Health and Human Services Department is reacting at the right level of urgency. She then shared a presentation that described the county’s current response which included the short-term, mid-term and long-term strategies. Director Manfrin said the department is using the existing national campaigns that describes the dangers of fentanyl, what to do in an overdose, and harm reduction awareness; however, these types of campaigns lack in help seeking

messaging that are specifically related to Yamhill County resources. Director Manfrin said that although the contract proposal timeline could not be revised, the scope of work included two phases of website design which would allow for concurrent use of campaign tool kit materials.

Commissioner Johnston said there are several sites in addition to the ones that were shared today. He also said that he would like to see the funds spent on youth focused outreach and the advertising integrated into the county's website. Director Manfrin said that she is expecting additional state funding to be shared between Yamhill, Polk, and Marion counties specifically for advertising to include website development and the creation of resource tool kits. Commissioner Berschauer shared the same frustration as Commissioner Johnston but added that she is not convinced the proposed campaign will reach the youth through website hyperlinks and flyers.

After additional funding discussion, the consensus of the Board was to move forward with the campaign, and then in parallel work with staff to understand the ramifications surrounding the Opioids Settlement to determine if the funds could be used for fentanyl awareness. Commissioner Berschauer said that she is in the process of drafting letters in support of House Bill 2767 which would open Naloxone to any community member and fund additional high school recovery programs.

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

The meeting recessed at 12:11 p.m. and reconvened at 12:19 p.m.

2. **B.O 23- 90** - Consideration of accepting a sealed bid in the amount of \$5,175 for Tax Lot R4414 03591 County-owned tax foreclosed real property.

Jodi Gollehon stated County Counsel's office received a total of five bids and recommended approval of the highest bid in the amount of \$5,175. Commissioner Berschauer moved approval of item H2 as recommended. The motion passed, Commissioners Berschauer, Johnston and Starrett voting aye.

3. Discussion of City of McMinnville's request for a County Emergency Declaration related to McMinnville homelessness. *[Continued from March 2, 2023].*

McMinnville Mayor Remy Drabkin gave public comment in support of the emergency declaration. She informed the board of her countless attempts to seek financial assistance from the governor, legislature, state and federal senators, and members of congress to complete the Navigation Center. The city has also partnered with Yamhill Community Action Partnership (YCAP) and former Oregon House Representative Noble. She provided to the Board that as of now the City of McMinnville has exhausted all its resources, therefore it does not have the funds to complete the Navigation Center.

Mayor Remy Drabkin said the funds that were previously allocated for the development of the Navigation Center do not cover construction costs due to construction market changes. The City of McMinnville is just shy of one million dollars to be able to complete the center. She asked the Board to consider allocating the existing one million dollars towards the completion of the Navigation Center if they choose not to declare a county emergency. She also provided to the

Board that OHC funds can be used to build additional shelter beds but not housing. She also presented data showing that McMinnville is in 26.5 percentile of rent burdened.

Sheridan Mayor Marianne Thomson and Sheridan City Manager Heidi Bell gave public comment in support of the emergency declaration. Marianne and Heidi both shared with the Board that they would like the county to consider negotiating with the City of Sheridan to purchase its existing City Hall building and transform it into a Yamhill County Social Services Satellite office. They also said the properties would be offered to the public sector if an agreement is not made. Lastly, they said the Sheridan School district and the City of Sheridan would like to support the continuation of the county rehabilitation apartments.

Commissioner Starrett opened the discussion by providing to the rest of the Board that a lot of the rural counties do not have shelter accessibility and expressed frustration with the lack of response from the Oregon Housing and Community Services Director Andrea Bell after numerous attempts regarding the decision to leave Yamhill County out of the declaration.

Commissioner Berschauer said that she is only aware of Clatsop County and Benton County submitting an emergency declaration. She said that these counties have also shared their concern about the type of language used in the declaration, which states one of the requirements is for the county to have "exhausted all funds" which is what Mayor Drabkin spoke too previously. She also said that she is working with Commissioner Sweet of Coos County on a letter intended for Governor Kotek to include rural counties in her emergency declaration.

Commissioner Johnston asked if a letter of appeal could be submitted to stop the clock because technically March 10, 2023 is the deadline. After deliberation, the consensus of the Board was to continue to support HB 5019. No action was taken.

4. Discussion of received applications for the Yamhill County Direct Impact grant program. *[Continued from February 23, 2023].*

The consensus of the Board was to submit their award recommendations to Ken Huffer who will work with Carrie Martin to bring back a list for consideration on March 23, 2023. There was no action taken.

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

1. **B.O 23- 91**- Consideration of approval of Agreement #179210 between Yamhill County and the Oregon Department of Human Services for Vocational Rehabilitation Job Placement Services not-to-exceed amount of \$300,000 effective upon final execution through June 30, 2025.

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

2. **B.O 23- 92** - Consideration of approval of the appointments of Christy Cooke and Craig Brown to the Planning Commission each for a four-year term to expire on July 1, 2027.

Commissioner Berschauer amended item I2 and moved approval to appoint Christy Cooke and Craig Brown instead of Brian Everest stating that she wanted to see people with more experience in Yamhill County on the committee. The motion passed, Commissioners Berschauer, Johnston and Starrett voting aye.

3. **B.O 23- 93** - Consideration of accepting a sealed bid in the amount of \$17,500 for Tax Lot R4414 03590 County-owned tax foreclosed real property. Commissioner Berschauer moved approval of item I3. The motion passed, Commissioners Berschauer, Johnston and Starrett voting aye.

4. **B.O 23- 94** - Consideration of approval to amend the Payroll Policy on Employee Expense Reimbursements, effective 14 days upon approval.

Ken Huffer provided to the Board that this type of employee reimbursement is usually processed through an Accounts Payable (AP) account, and then it goes through normal payroll channels which increases the amount of time it takes for the employee to receive a reimbursement. If approved, the policy is effective 14 days upon approval.

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

5. **B.O 23- 95** - Consideration of approval of Intergovernmental Agreement # PO-25700-00016109 between Yamhill County and the Oregon State Fire Marshal's Office for the development of a pilot program to emphasize wildfire community preparedness in the amount of \$10,000 effective upon full execution through June 30, 2023.

Brian Young said the stipend will fund an evacuation education mailer program that is being sent to forest/rural area residents. Commissioner Berschauer moved approval of item I5. The motion passed, Commissioners Berschauer, Johnston and Starrett voting aye.

6. **B.O 23- 96** - Consideration of approval of temporary, permanent, and utility easements for four property owners adjacent to the Gopher Valley Road Bridge replacement project in the amount of \$3,400.

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

**J. PUBLIC HEARINGS:** None.

**K. ANNOUNCEMENTS:**

1. *Yamhill County needs Senior Advisory Council and Disability Services Advisory Council volunteers.* <https://nwsds.org/index.php/home/volunteer/>

2. 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).

3. 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)

4. 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 the Commissioner announcements, the meeting adjourned at 2:05 p.m.

Nicole Necas  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS



Chair

LINDSAY BERSCHAUER



Commissioner

KIT JOHNSTON



Commissioner

MARY STARRETT

Accepted by Yamhill County  
Board of Commissioners on  
8-3-23 by Board Order  
# BO. 23 - 272