

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 January 28, 2021, at 10:00 a.m. in a meeting via Zoom, Commissioners Mary Starrett, Lindsay Berschauer and Casey Kulla being present.

Also present were Ken Huffer, County Administrator; Christian Boenisch, County Counsel; Todd Sadlo, Senior Assistant County Counsel; Lindsey Manfrin, HHS Director; Cynthia Thompson, Transit Manager; Carrie Martin, Grants and Special Projects and Keri Hinton, BOC Staff (via Zoom)

Guests (via Zoom): Abisha Stone, SEDCOR; Sonny Chickering, ODOT Regional Director; Philip Higgins; Becky Wolf; Sheila Barnes; Chelsea Janzen; Carol Foley; Patty Williams; Erin Chen; B. Flan; Sally Goddard; Beth Caster; Patricia Faye Marshall; Pam Kirsch; Mary Beth Branch; Kris Bledsoe; Diane; Carla; Jeff D. and Tim.

***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 was no calendar session.
- 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.*

Commissioner Starrett acknowledged public comments received related to agenda item I2 and COVID-19.

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. None.

F. DEPARTMENT UPDATES:

1. HHS COVID-19/Vaccine Update – Lindsey Manfrin reviewed the current COVID-19 outreach community efforts and discussed vaccination allocations and distribution schedules.

2. SEDCOR Quarterly Update/End of Year 2020 Report - Abisha Stone reviewed the regional economic development impact report as part of the 2020 year-end report (Exhibit “A”). She provided an overview of regional economic impacts to business losses and unemployment resulting from social and environmental disasters including wildfires, political unrest, and the COVID-19 pandemic. She discussed economic development recovery grants for the small business community and touched on recovery projects such as broadband expansion and childcare programs.

G. CONSENT AGENDA:

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

1. **B.O. 21-44** - Approval of the Service Element Prior Authorization (SEPA) Unit #41111794 under Agreement #157846 between Yamhill County Health and Human Services and the Oregon Department of Human Services (B.O. 19-221) for the financing of Community Developmental Disabilities Services in the amount of \$5,000,000, retroactive from July 1, 2019 through June 30, 2021.

2. **B.O. 21-45** - Approval to reappoint John Nyberg to the Fair Board for a three-year term to expire on September 21, 2023.

H. OLD BUSINESS: None.

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

1. **B.O. 21-46** - Consideration of funding the 2021-23 Statewide Transportation Improvement Discretionary Funds (STIF) applications for transit proposal for the Yamhill County and Benton County 99W Transit Corridor Pilot project.

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

2. Discussion of the Yamhelas Westsider Trail.

The Board held discussion with staff and ODOT Regional Director, Sonny Chickering regarding the current standing of ODOT grant agreements related to the Yamhelas Westsider Trail. Christian Boenisch advised that discussions and questions should be limited to the grant

agreements and not include substantive issues related to the LUBA remand. Mr. Chickering summarized the current standings of invoices and reimbursement payments; he also touched on grant repayment scenarios in the event the corridor project and agreements were terminated. After further questioning and discussion, Mr. Huffer reflected on staff's efforts to ensure the feasibility of the trail project and avoid exposure or risk to the county while maintaining agency relationships. Mr. Sadlo added that staff had conducted discussions with a majority of support from the Commissioners to pursue the trail project in good faith. Mr. Boenisch noted that any consideration of moving towards discussions with ODOT regarding extending the Connect Oregon VI grant would be contingent on the Board's decision surrounding the remand.

The meeting was recessed at 1:16 p.m. and reconvened at 1:26 p.m.

Ken Huffer noted that any alternate routes outside of the corridor would be subject to due process including funding, environmental reviews, right-of-way permits and other land use processes to review the viability of a reroute. Mr. Chickering cautioned against any conversations with private landowners regarding private acquisitions as it may affect federal funding. Mr. Boenisch stated that mediation as part of the land use process to resolve the remand is an option on the table. Commissioner Berschauer made a motion to withdraw the land use application for the current trail design for the right-of-way. Commissioner Starrett asked County Counsel to find a workaround to separate the bridge from the remand, which Mr. Boenisch noted could be challenged by the opponents as well and require repayment of grant funding to ODOT. Commissioner Berschauer withdrew her motion pending inquiry of the opponent's willingness to mediate. The consensus of the Board was conveyed to staff to reach out to the opponents to initiate mediation for a desire to complete the Stag Hollow Bridge and to explore the completion of the bridge without further trail development. The agenda item was tabled until next week. No action was taken.

3. Discussion of restaurant licensing fees.

Commissioner Starrett addressed a proposal for the county to cover costs of 2021 restaurant license fees. Ken Huffer asked the Board for their feedback on a grant proposal and discussed funding resources. The collected fees offset Public Health staff inspection expenses. The consensus of the Board was to direct staff to do further proposal inspection. There was no action taken.

4. Discussion of dog control late fees.

Commissioner Starrett opened discussion regarding dog licensing late fees. She noted that dog owners in need of fee assistance may contact Homeward Bound to inquire about low cost licensing vaccinations to avoid late licensing fees. The Board and staff discussed ordinance amendment to waive licensing late fees for a limited duration due to dog owner's pandemic financial hardship. The consensus of the Board was to direct staff to revise the dog control ordinance as directed and be brought back to the Board for further discussion next week. There was no action taken.

5. **B.O. 21-47** - Consideration of submitting a letter of support for HB 2243, introducing sideboards onto the Governor’s emergency powers.

Commissioner Kulla stated this bill would require justification of emergency executive orders and extensions made thereafter. After discussion, Commissioner Kulla moved approval of item I5 as amended. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

J. PUBLIC HEARINGS:

1. Docket #FT-13-20: An appeal of the Planning Director’s approval of a forest template dwelling, Tax Lot: 5435-600. Applicant: Catherine Wright representing Loyola Heights, LLC.; Appellant: Dennis Brutke. *[Continued from November 12, 2020].*

Commissioner Starrett opened the public hearing at 3:04 p.m.

Commissioner Kulla moved approval to continue the meeting to February 25, 2021. Stephanie Armstrong stated the parties were in mediation and close to a resolution. After discussion, the motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

Commissioner Starrett closed the public hearing at 3:05 p.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

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 3:11 p.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY STARRETT

Commissioner LINDSAY BERSCHAUER

Commissioner CASEY KULLA