

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 February 7, 2019, at 10:00 a.m. in Room 32 of the courthouse, Commissioners Richard L. “Rick” Olson, Mary Starrett and Casey Kulla being present.

Also present were Ken Huffer, County Administrator; Justin Hogue, Business Services Manager; Christian Boenisch, County Counsel; Todd Sadlo, Senior Assistant County Counsel; Mikalie Frei, County Counsel staff; Carrie Martin, Grants and Special Projects; Dave Adams, KLYC Radio; Starla Pointer, News-Register; and others as listed on the sign-in sheet.

Commissioner Olson called the meeting to order at 10:00 a.m. The invocation was offered by David Case.

*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 agenda 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.*

**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.

Commissioner Olson asked the audience to refrain from commenting on the remand of the land use application regarding the Yamhelas Westsider Trail.

Tom Hammer commented regarding on the Connect Oregon VI grant. He provided a letter from Wendy Kellington. Mr. Sadlo stated that the testimony will be added into the record of the remand.

Bryan Cook spoke regarding gates that are currently on public lands. He would like gates to be opened for recreation and public access.

Lonnie Sizer spoke in agreement with Mr. Cook. He added public lands are a source of revenue for hunting instructors and also serve as locations for local clubs to accumulate service hours. He clarified that he doesn’t have an issue with gates being closed but he would like them to remain unlocked for public access.

Joseph Gall spoke in support of President Trump. He also addressed illegal taxation of his mobile home which he states is personal property under ORS 308.875. He submitted a report to the Board supporting his position that his property is being illegally assessed as real property.

Ron Wellborn stated there has been a history of criminal activity and dumping on roads prior to gates. He is in support of keeping gates locked to public access but providing keys to first responders and immediate residents.

John Van Dyke spoke regarding three two-scale pedestrian bridges referred to in the Connect Oregon VI grant application packet. He stated his belief that the bridges would not support the weight of emergency service vehicles and without a master plan, proceeding with the grant would be a waste of taxpayer money.

Tom Kennen spoke regarding gates. He addressed giving access to the public for recreation on public lands. He stated that if there are gates that allow public access to public roads, they should be left unlocked unless it is a fire risk.

Scott Marlega, a land use manager for Weyerhaeuser, shared his recollection of dumping, vandalism and fire danger prior to 2001 and provided a brief outline of the land located behind the High Heaven gate. He is concerned that if the gates are opened, similar damages will occur as prior to 2001 and questioned who would be responsible for maintenance. He provided maps of the Weyerhaeuser lease areas to the Board. He reports that the roads have been repaired during the last 18 years and are currently back to forestry practice standards for logging.

Jay Disbrow, Councilor for City of Yamhill, commented on the economic benefit impacts to communities close to recreational trails.

Veronica Hinkes stated her support of the Connect Oregon VI grant.

Amy Brewer spoke in favor of the Yamhelas Westsider Trail project. She stated that it would encourage the public to access it for fitness.

James Hirte commented he would be in favor of opening gate access for the public.

John De May spoke regarding the High Heaven gate. His observations of Tuesday's work session were of the Board designating county staff to communicate with Weyerhaeuser instead of the Board directly conversing.

Jerri Bates, resident near gate on High Heaven Road would like to keep the gate closed. She noted people still use it for recreation and still accessing the road despite the gate. Ms. Bates stated she believes keeping the gate closed will result in cost savings and will safety for people.

Milton Bates, resident near gate on High Heaven Road, stated although he has used the High Heaven Road in the past for recreation, he appreciates that it is cleaner now that in years past before the locked gate. He is concerned about public mischief, dumping and unlawful actions.

Ben Van Dyke spoke regarding the ODOT grant. He believes that it is not a good use of taxpayer money on a grant that does not have a master plan or has no foreseeable plan of construction. Mr. Van Dyke submitted a letter into record for the Board's review.

Taylor Jerome and Chris Greene both spoke regarding larger mainline roads that access public properties. Mr. Jerome believes that the High Heaven gate should remain locked. Mr. Jerome submitted maps to the record for the Board's review, highlighting public roads going through private property to BLM land areas. He stated sportsmen are seeking to access the public roads beyond Weyerhaeuser lands. He would like to see future scheduled meetings to discuss individual roads. Mr. Greene's comments support Mr. Jerome's comments.

**B. CONSENT AGENDA:**

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

Minutes

- a. **B.O. 19-37** - November 8, 2018, Formal Session;
- b. **B.O. 19-38** - December 6, 2018, Formal Session;
- c. **B.O. 19-39** - December 11, 2018, Informal Session;
- d. **B.O. 19-40** - December 18, 2018, Informal Session; and
- e. **B.O. 19-41** - December 20, 2018, Formal Session

Contracts/Grants

2. **B.O. 19-42** - Approval of Amendment #1 to the agreement between Yamhill County Health & Human Services and Washington County (B.O. 18-225) for the Cities Readiness Initiative (CRI) program in the amount of \$11,079 through June 30, 2019.
3. **B.O. 19-43** - Approval of Amendment #3 to the agreement between Yamhill County Health & Human Services and Yamhill Valley Treatment (B.O. 17-249) dba Provoking Hope in the amount of \$87,483 for opioid state targeted response services through June 30, 2019.
4. **B.O. 19-44** - Approval of Amendment #7 to Agreement #153142 (B.O. 17-207) between Yamhill County and the Oregon Health Authority for \$56,276.29, retroactive to September 16, 2018 for the financing of community mental health, substance use disorders and problem gambling services.
5. **B.O. 19-45** - Approval of a contract employment agreement between Yamhill County Health and Human Services and Melissa Heuberger to provide professional clinic services at the rate of \$62.42, effective February 9, 2019 through June 30, 2019.
6. **B.O. 19-46** - Approval of Agreement #1806 between Yamhill County and Andy Medcalf Construction Company for the Health and Human Services Ticor building remodel in the amount of \$345,322.

Committees

7. **B.O. 19-47** - Approval of the following changes to the Parkway Committee:
  - a. Appoint Sal Peralta to a four-year term to expire on January 15, 2023.

- b. Appoint Stan Primozich to a two-year term to expire on January 15, 2021.
- c. Designate Kellie Menke as a member-at-large.

8. **B.O. 19-48** - Approval to appoint Amy Hanifan and reappoint Lessie Dale, John Heiser, William Koenig and Mary Newell to the Ambulance Service Area (ASA) Committee for three-year terms to expire on December 31, 2021.

Miscellaneous

9. **B.O. 19-49** - Approval of delegating authority to County Counsel to take any steps necessary to terminate the litigation in Clackamas County, et al. v. MERS, et al.

**C. OLD BUSINESS:**

1. **B.O. 19-50** - Consideration of the adoption of written findings and conditions and upholding the Planning Commission’s approval and denying the appeal of Docket SDR-28-18, for a winery and tasting room within an existing structure (converted horse barn/arena), on a parcel with at least 15 acres of vineyard planted on site. Applicant: SANDAN, LLC (dba Abbey Road Farms).

Mr. Sadlo presented the written decision and findings of item C1. Commissioner Starrett moved approval of item C1. The motion passed, Commissioners Olson, Starrett and Kulla voting aye.

**D. NON-CONSENT AGENDA ITEMS OTHER TOPICS FOR DISCUSSION: (Add to consent agenda or leave off):** None.

**E. EXECUTIVE SESSION:** None.

**F. COMMISSIONER UPDATES/ANNOUNCEMENTS:**

Following Commissioner announcements, the meeting adjourned at 10:59 a.m.

Carolina Rook  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

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Chair RICHARD L. “RICK” OLSON

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Commissioner MARY STARRETT

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Commissioner CASEY KULLA