

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 October 17, 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; Christian Boenisch, County Counsel; Nohely Barajas-Montalvo, Legal Assistant; Carrie Martin, Grants & Special Projects; Ken Friday, Planning Director; Stephanie Armstrong, Assistant Planner; Nicole Montesano, News-Register; and others as listed on the sign-in sheet.

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. CALL TO ORDER

Commissioner Olson called the meeting to order at 10:00 a.m.

B. FLAG SALUTE

NOTICE: All County buildings will be participating in the Great Oregon Shake-Out Earthquake Drill which will take place at 10:17 a.m. Please exit the building through the front doors of the Courthouse and re-enter when the all clear is given.

C. 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.

Stan Primozych commented that he would like invocation to be reinstated at formal session.

D. CONSENT AGENDA: Commissioner Starrett moved approval of items F1 – F4. The motion passed, Commissioners Olson, Starrett and Kulla voting aye.

Minutes

1. a. **B.O. 19-413** - August 1, 2019, Formal Session;
- b. **B.O. 19-414** - August 6, 2019, Informal Session;

- c. **B.O. 19-415** - August 8, 2019, Formal Session;
- d. **B.O. 19-416** - August 13, 2019, Informal Session;
- e. **B.O. 19-417** - August 15, 2019, Formal Session;
- f. **B.O. 19-418** - August 20, 2019, Informal Session;
- g. **B.O. 19-419** - August 22, 2019, Formal Session;
- h. **B.O. 19-420** - August 27, 2019, Informal Session; and
- i. **B.O. 19-421** - August 29, 2019, Formal Session

Contracts & Grants

- 2. **B.O. 19-422** - Approval of application #19-266 requesting funding from the Oregon Military Department (OMD)-Oregon Emergency Management (OEM) Homeland Security Grant Program for the Yamhill County Sheriff's Office public safety communications upgrade, retroactive to October 1, 2019 through September 30, 2020, in the amount of \$70,974.
- 3. **B.O. 19-423** - Approval of accepting a bid from SERA Architects, Inc. and authorize a notice of intent to award to perform a space needs analysis for Yamhill County facilities, in the not-to-exceed amount of \$100,000.
- 4. **B.O. 19-424** - Approval to authorize Yamhill County Health and Human Services to submit application(s) for Specialty Court Implementation Grant funds administered by the Oregon Criminal Justice Commission for Court Coordinated Services and the Juvenile Drug Court.

E. OLD BUSINESS: None.

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

- 1. **B.O. 19-425** - Consideration of the Classification Committee's recommendation to uphold the department head's decision and deny the Support Enforcement Division employees' request for reclassification to Paralegals.

Commissioner Starrett moved approval of item F1. The motion passed, Commissioners Olson, Starrett and Kulla voting aye.

- 2. Consideration of adoption and second reading of an ordinance referring to the voters the question of whether or not the Yamhill County Board of Commissioner should be increased from three to five.

Glen Scoggins provided testimony stating a majority of farmers in Dayton are against the expansion due to the additional expense.

Stan Primozych commented he has filed for the office of Treasurer and expressed his concern that the proposed ordinance is fiscally irresponsible. He would prefer to see the special interest group collect petition signatures and leave the Board out of the decision.

Dan Masterson asked the Board to vote against the ordinance and addressed several concerns that related to the bypassing of the petition process and the financial responsibility incurred by the Board if the ordinance is approved.

Kath Blankenbiller spoke against the ordinance citing concerns regarding expense and decreased transparency.

Commissioner Olson called for a recess at 10:17 a.m. for the Oregon Shake-Out drill; the meeting resumed at 10:30 a.m.

Chris Chenowith expressed his concern about the fiscal impact of an increase to the Board members. He said the Board should not represent the ballot measures of special interest groups.

Barbara Boyer asked the Board to withdraw the original ordinance proposal and consider a home rule charter county.

Susan Watkins commented on the feedback received after the first reading. Her group no longer supports the proposal saying it does not meet their purpose. She stated that the special interest group is now favoring a home rule charter. She asked the Board to dismiss the ordinance proposal.

John Englebrecht is in favor of expanding the Board to have more representation. He would like the Board to move their meetings to evenings which would give more people the opportunity to run for a commissioner seat while keeping their daytime jobs.

Lindsay Berschauer spoke regarding the Clackamas County economic analysis she presented two weeks ago. She commented about the home rule process and believes that it should follow the petition process. She supports the petition process but does not support the fast-tracking of the ordinance.

Brian Schmidt commented that he has more representation with three commissioners; additional members would make the Board less accessible. He is opposed to the ordinance.

BJ Matthews concurs with the withdrawal of the ordinance.

Commissioner Starrett commented on the loss of staff time and county cost to have researched this ordinance on behalf of a special interest group only to have it withdrawn. Commissioner Kulla addressed the comments that there are better things to spend money on than expanding the Board and outlined several county programs and departments that would benefit. Commissioner Olson commented that he supports a home rule charter if citizens choose to pursue it but should follow the initiative petition process.

Mr. Boenisch provided the second reading of the proposed ordinance by title only. Ms. Starrett moved to reject the referring of an ordinance to the voters. The motion passed,

Commissioners Olson, Starrett and Kulla voting aye. The ordinance failed and will not move forward to the 2020 ballot.

Commissioner Olson called for a recess at 11:20 a.m. and resumed at 11:30 a.m.

G. PUBLIC HEARINGS:

1. **B.O. 19-426** - Docket FT-04-19: An appeal of the Planning Director's approval of an application to modify the Forest Template Dwelling location approved through Docket FT-09-18. The new location would be north of the existing driveway. Appellant: Della Frost, Tax Lot: 5614-2100, 26885 SW Smithville Rd., Sheridan. *[Tentatively passed, final written decision and findings to be adopted on November 14, 2019 at 10:00 a.m. in Room 32 of the courthouse].*

Commissioner Olson opened the public hearing at 11:31 a.m. There were no abstentions or objection to jurisdiction and there were no reports of ex-parte contact or site visits. Mr. Boenisch read the statement required by ORS 197.763(5).

Staff Report: Stephanie Armstrong presented the staff report requesting modification of the location of the forest template dwelling.

Proponents: Paul and Shannon Vandonzel addressed the Board seeking approval to modify the existing parcel for a possible second (hardship) dwelling on the existing forest template for an elderly family member.

Ms. Armstrong confirmed the Vandonzel's would have to obtain a hardship permit to build a second location on the same parcel for the family member.

Opponents: There was no opposition testimony received.

Public Agency Reports: There were no public agency reports received.

Staff Recommendation: Ms. Armstrong stated it is the staff's recommendation to approve the application based upon the conclusions for approval in the staff report.

Commissioner Olson closed the public hearing at 11:41 a.m.

Deliberations: After discussion, Commissioner Starrett moved approval of upholding the Planning Director's approval of the application. The motion tentatively passed, Commissioners Olson, Starrett and Kulla voting aye. Final written decision and findings to be adopted on November 14, 2019 at 10:00 a.m. in Room 32 of the courthouse.

H. 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 11:43 a.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Unavailable for signature

Chair RICHARD L. "RICK" OLSON

Commissioner  MARY STARRETT

Commissioner  CASEY KULLA

Accepted by Yamhill County
Board of Commissioners on
12/5/19 by Board Order
19-477