

BEFORE THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of Rescinding Board Order 20-25 on)	
Remand from the Land Use Board of Appeals)	
and Re-authorizing the Establishment of a Contract)	
with Farline Bridge, Inc. for the Yamhelas)	Board Order 20-178
Westsider Trail Bridge Construction Project—)	
Contract Approval to be Retroactive to)	
January 16, 2020)	

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business on June 11, 2020, Commissioners Casey Kulla, Mary Starrett and Richard L. “Rick” Olson being present.

IT APPEARING TO THE BOARD as follows:

A. Board Order 20-25 dated January 16, 2020, authorized the execution of a contract between the county and Farline Bridge, Inc. entitled “Agreement for Yamhelas Westsider Trail (Phase 2) Project.” The contract was executed as of the same date, and Farline Bridge, Inc. began construction of the bridge across Stag Hollow Creek, located on county property (Tax Lot 4403-01300);

B. Trail opponents appealed Board Order 20-25 to the Land Use Board of Appeals (LUBA), and on April 9, 2020, requested a stay of bridge construction, which was granted by LUBA. On June 1, 2020, LUBA remanded Board Order 20-25 to the county for further proceedings;

C. On May 28, 2020, the county adopted Board Order 20-164, which approved the use of a portion of Tax Lot 4403-01300 for a public access, multi-modal trail, including the construction and use of the Stag Hollow Creek bridge that was the subject of Board Order 20-25. At the time of its decision to remand Board Order 20-25, LUBA was not aware (or could not consider, because it was not part of the record on review) that Board Order 20-164 provided all of the process, and addressed all of the statutory and ordinance standards, required by LUBA’s remand of Board Order 20-25; and

D. Land use authority for execution of a contract with Farline Bridge for construction of the Stag Hollow Creek bridge was provided by Board Order 20-164. NOW, THEREFORE,

IT IS HEREBY ORDERED BY THE BOARD AS FOLLOWS:

Section 1. Board Order 20-25 is hereby rescinded.

Section 2. By this Board Order, the Board hereby reauthorizes establishment of a contract between the county and Farline Bridge, Inc., effective retroactively to January 16, 2020. Re-establishment of the contract will be by letter, signed by the County Administrator and delivered to Farline Bridge, Inc., establishing that the original contract has been re-authorized as specified in this Board Order.

DONE this 11th day of June, 2020 at McMinnville, Oregon.

ATTEST:



YAMHILL COUNTY BOARD OF COMMISSIONERS

BRIAN VAN BERGEN
County Clerk

Casey Kulla
Chair
CASEY KULLA

By: *Carolina Rook*
Deputy Carolina Rook

voted "no"

Commissioner

MARY STARRETT

FORM APPROVED BY:

Richard L. Olson

Commissioner

RICHARD L. "RICK" OLSON

T. Sadlo
Timothy S. Sadlo
Senior Assistant County Counsel