

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 June 9, 2022, at 10:00 a.m. in Room 32 of the courthouse and a virtual meeting via Zoom Commissioners Lindsay Berschauer and Mary Starrett participated in person; Commissioner Casey Kulla participated via Zoom.

Also present were Ken Huffer, County Administrator; Christian Boenisch, County Counsel; Colton Totland, County Counsel II; Cynthia Thompson, Transit; Tim Svenson, Sheriff; Derrick Wharff, Assessor; and Carolina Rook, BOC Staff. Treasurer Kris Bledsoe participated via Zoom.

Guests: Preston Polasek; Marie Sproul, Mayor-City of Lafayette; and Kit Johnston. Elaine Howard 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' YouTube 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 10:01 a.m.

B. FLAG SALUTE

C. CALENDAR SESSION: This time is reserved for the review of the commissioner's joint schedule (if needed).

The Commissioner's reviewed the joint schedule for the week of June 13 – June 19, 2022. No other county business was discussed.

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 comment was received via email regarding the term limits discussion.

E. DEPARTMENT UPDATES: None.

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 –

a. Review/discussion of the Lafayette Urban Renewal Plan

Preston Polasek started the presentation by thanking the county for their leadership in working with SEDCOR on the City of Lafayette's behalf. Mayor Marie Sproul summarized Lafayette's needs for urban renewal citing the need for updates in the downtown area and the large amount of feedback they have received from the community in support of this. Elaine Howard began her presentation by discussing Lafayette's need for blight removal. She went on to explain the total net Tax Increment Finance (TIF) dollars and maximum indebtedness that would occur over the span of 30 years. She highlighted the project categories and costs according to a resident survey which yielded 130 responses. She also discussed the financial impacts to Yamhill County and Yamhill County Extension Service over 30 years. Ms. Howard and Mr. Polasek provided an explanation of the financial impact to the City of Lafayette. Commissioner Berschauer expressed her concern with an Urban Renewal Plan and asked if the city has sought a bond or levy to fund the improvements. Mr. Polasek responded that the city has obtained several grants over the years and partnered with ODOT to complete the highway rebuild but recognizes there is more work to be done. Commissioner Berschauer questioned the timing of the project due to a potential worldwide recession expected and her concerns of the cost this would have to the city. She suggested asking the residents for a bond to cover the costs of the improvements. Commissioner Berschauer restated her concern for Urban Renewal Plans and their potential to be dishonest to taxpayers. Commissioner Starrett also expressed her concern regarding the financial impact it will eventually have on its residents. Commissioner Berschauer encouraged a public vote to take place. Mayor Sproul clarified what removing blight means to Lafayette and what qualifies. Mr. Polasek provided an update on the new subdivision that will be going in.

b. End of work session

G. CONSENT AGENDA: None.

H. OLD BUSINESS: None.

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

1. **B.O. 22-170** - Consideration of approval of an amendment to the master subscription agreement between Yamhill County Health and Human Services and Relias Learning (B.O. 17-288) for an additional annual increase in the amount of \$2,442.84 effective August 1, 2022.

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

2. **B.O. 22-171** - Consideration of the membership position appointments to the Local Public Safety Coordinating Council (LPSCC) each for a term to expire June 30, 2024:

- a. Lindsey Manfrin – Health and Human Services, Public Health Director; and
- b. Jason Henness – Health and Human Services, Mental Health Director.

Commissioner Starrett moved approval of item I2. The motion passed, Commissioners Berschauer, Kulla, and Starrett voting aye.

3. **B.O. 22-172** - Consideration of approval of the vendor selection of Nelson Nygaard, as recommended by the Yamhill County Transit Manager, to complete Phase 1 & 2 of the bus stop installation project and to authorize County Counsel to finalize the professional services agreement in an amount not to exceed \$120,000.

Commissioner Berschauer moved approval of item I3. The motion passed, Commissioners Berschauer, Kulla, and Starrett voting aye.

4. **B.O. 22-173** - Consideration of approval to declare bus #401 as surplus and authorize staff to dispose of via auction per county policy; and reinstate buses #1302 and #1307 to active fleet status.

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

5. **B.O. 22-174** - Consideration of accepting the recommendation of the Ambulance Service Area (ASA) Committee to accept the quote received from Cambridge Consulting Group, in the amount of \$37,900 to update the Yamhill County Ambulance Service Area (ASA) Plan.

Commissioner Starrett moved approval of item I5. The motion passed, Commissioners Berschauer, Kulla, and Starrett voting aye.

J. PUBLIC HEARINGS:

1. A public hearing to receive public comment on repealing Ordinance 587, which provides term limits for elective county offices.

Commissioner Berschauer opened the public hearing at 10:54 a.m.

Sheriff Tim Svenson expressed his opinion to remove term limits for administrative elected officials due to possibly losing a qualified experienced candidate as a result of term limits.

Commissioner Starrett addressed the misinformation present in public comments that there would be no more elections but in fact there will still continue to be elections, there would just not be a limit to the number of times one could run for office.

Christian Boenisch corrected his previous statement that there were no other counties with term limits of this nature. There are 2 more counties with these term limits still in place.

Commissioner Berschauer mentioned the public comment received via email. She discussed the suggestions received from the public of removing term limits for all positions except for current Commissioners, removing the limits for future Commissioners. There was also public comment to remove all term limits except for the Commissioners and to leave it the way it is.

Commissioner Starrett clarified some of the public comment that was received for Commissioner Kulla in regard to elected officials being in office "for life". Commissioner Kulla recommended putting a repeal of the ordinance to a vote in an election.

No action was taken. Commissioner Berschauer closed the hearing at 11:08 a.m.

Discussion/Deliberation

Commissioner Berschauer expressed her concern that if the term limits are removed for Commissioners, then the issue would remain unconstitutional. She talked about the County's Court potentially weighing in on the situation and to get their feedback on the removal of term limits for the Commissioners as a way to be proactive. Christian Boenisch clarified the ways in which the court can review the term limits in question and provide feedback on amending Ordinance 587. Mr. Boenisch explained that there was a statutory change to the Surveyor position to make it an appointed position which allowed the Board to remove term limits for that position at the county level. The Board discussed removing term limits for all positions aside from the Commissioners and what that would look like. There was discussion about what the cost would be to the county if the matter were to go on the ballot in November, and what the preferred language would be. Mr. Boenisch provided clarification to the Board on their options to either repeal Ordinance 587 or amend it as they see fit. Commissioner Starrett expressed her opinion to not take this to the ballot in November but to keep limits for Commissioners and remove limits for the other highly technical positions. The Board discussed when the original ordinance was discussed and approved in 2000. Commissioner Kulla stated his opinion to repeal the ordinance rather than amend. The Board and staff discussed the term limits as it relates to Home Rule vs. General Law counties. Mr. Boenisch explained to the Board what could be asked of the court and how that process might look. After discussing the Board's multiple options, it was the consensus of the Board to continue the conversation to June 30th, 2022, in Room 32 of the Yamhill County Courthouse. No action was taken.

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 12:07 p.m.

Megan Marasco
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS


Chair LINDSAY BERSCHAUER


Commissioner CASEY KULLA


Commissioner MARY STARRETT

Accepted by Yamhill County
Board of Commissioners on
9-8-2022 by Board Order
22-274