

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 September 7, 2023, at 10:00 a.m. in Room 32 of the Yamhill County courthouse, and in a virtual meeting via Zoom, Commissioners Lindsay Berschauer, Kit Johnston, and Mary Starrett being present.

Also present were Ken Huffer, County Administrator; Christian Boenisch, County Council; Jason Foose, County Surveyor; and Nohely Barajas-Montalvo, Legal Assistant, participated via Zoom.

Guests: Bubba, and Dale Claassen.

*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’ You Tube channel. Written public comments may be submitted via email at [bocinfo@co.yamhill.or.us](mailto:bocinfo@co.yamhill.or.us).*

**A. CALL TO ORDER** Commissioner Berschauer called the meeting to order at 10:03 a.m.

**B. FLAG SALUTE**

**C. CALENDAR SESSION:** This time is reserved for the review of the commissioners’ joint schedule (if needed).

The Commissioners reviewed the joint schedule for the week of September 11–September 17 2023. 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.

There were no general public comments received.

**E. DEPARTMENT UPDATES:**

1. Sheriff's Office – Sheriff Tim Svenson

a. Discussion of “permit to purchase” guidance received from OSSA.

Sheriff Svenson provided an update to the Board. He shared that the Oregon State Sheriffs' Association (OSSA) provided guidance on Measure 114 and their final draft should be finalized by September 11<sup>th</sup>, at which time legal counsel will review. Sheriff Svenson summarized the differences between the Federal Bureau Investigation (FBI) and the Concealed Handgun Licensing (CHL) permit process. Background checks that are performed through the Oregon State Police will search if an applicant has criminal or non-criminal history in Oregon, but the FBI is not required to perform a criminal background check for a purchase permit as required by Measure 114. It is still unknown if an applicant will be required to discharge a gun as part of the CHL permit process. Sheriff Svenson also provided the following: large magazines would be considered a felony; the county would be responsible for approving CHL applications; there is no exemption for law enforcements that carry off duty. Lastly, he provided to the Board that the current process to purchase firearms is valid, and the Sheriff's Office is prepared to issue a statement.

Sheriff Svenson also briefed the Board on an illegal marijuana grow site bust located off Highway 240. He shared that staff confiscated 350lbs of dried marijuana and four adult males were arrested; observations determined a direct connection to a large ring. He also shared that Criminal Justice Commission (CJC) representatives were onsite during the investigation, and they acknowledge the size of the operation. Commissioner Johnston requested to see additional statistical data about the event such as the Full-time Equivalent (FTE) and supplies. Sheriff Svenson confirmed that extra prosecution time and FTE is not covered by a grant.

**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 – None.

**G. CONSENT AGENDA:**

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

Minutes

1. a. **B.O. 23-353** - July 6, 2023; Formal/Informal Session;
- b. **B.O. 23-354** - July 13, 2023; Formal/Informal Session; and
- c. **B.O. 23-355** - July 20, 2023; Formal/Informal Session.

Surplus

2. **B.O. 23-356** - Approval to authorize Public Works to designate a Sheriff's Patrol 2004 Ford Ranger as surplus and to be sold to the City of Sheridan per Ordinance 499.

Committees

3. **B.O. 23-357** - Approval of the following changes to the Local Public Safety Coordinating Council (LPSCC) membership roster:
- Appoint Jessica Payne to a Lay Citizen position for a 3-year term retroactive to July 1, 2023 through June 30, 2026.
  - Appoint Cliff Toney to fill a Community Justice non-voting position vacated by Scott Paasch.
  - Appoint Keith Stewart to fill a Community Justice non-voting position vacated by Larry Evenson.

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**H. OLD BUSINESS:**

1. Discussion regarding the potential closure of High Heaven Road gate. *[Continued from August 31, 2023].*

Commissioner Berschauer confirmed that she and Commissioner Johnston will tour the High Heaven gate area on September 8, 2023. They will meet with emergency management agencies and residents to address fire evacuation routes. Commissioner Berschauer noted that she and Commissioner Johnston will recap the site visit at the September 14<sup>th</sup> meeting. No action was taken.

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

1. **B.O. 23-358** - Consideration of approval of the 2023-25 Community Corrections Biennial Plan.

Commissioner Berschauer moved approval of Item II. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

2. **B.O. 23-359** - Consideration of approval of Intergovernmental Agreement #6554 between Yamhill County and the State of Oregon – Department of Corrections for the funding of community supervised felons retroactive July 1, 2023 through June 30, 2025.

Commissioner Starrett moved approval of Item 2. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

3. **B.O. 23-360** - Consideration of approval to authorize the Department of Community Justice to submit Yamhill County's Phase II 2023-25 Criminal Justice Commission JRI Formula and Supplemental grant application.

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

**J. PUBLIC HEARINGS:** None.

THE RECORDS FOR PUBLIC HEARINGS CAN BE FOUND AT: <https://www.co.yamhill.or.us/content/public-hearing-notices>

**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](mailto: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 10:21a.m.

Nicole Necas  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS



Chair

LINDSAY BERSCHAUER



Commissioner

KIT JOHNSTON



Commissioner

MARY STARRETT

Accepted by Yamhill County  
Board of Commissioners on  
2/22/24 by Board Order  
# 24-43

LB  KJ  MS 