

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 February 22, 2024, 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 Counsel; Nohely Barajas-Montalvo, Legal Assistant; and Lindsey Manfrin, HHS Director.

Guests: Bubba; Peggy Kilburg; and Chris Chenoweth. Craig Markham; Robert Mason; CPRD; and Nicole 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’ You Tube channel. Written public comments may be submitted via email at boinfo@co.yamhill.or.us.

- A. CALL TO ORDER:** Commissioner Berschauer called the meeting to order at 10:19 a.m. The meeting started late due to a previous Executive Session meeting.
- 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 February 25 – March 3, 2024. 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.
Commissioner Berschauer acknowledged received emailed public comments related to vaccines and YCAP. Commissioner Starrett asked for clarification regarding an emailed

comment regarding school immunization exemptions. HHS Director Lindsey Manfrin responded to questions regarding state school immunization exemption forms and protocol.

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 Administration Organizational Structure – Ken Huffer Ken Huffer addressed requests by the Board to review administrative organization. He provided review of Ordinance 900 which provides the County Administrator rights to delegate specific responsibilities. Based on separate conversations with commissioners, he presented a proposed organizational chart with added managerial positions. He clarified that the proposed added Deputy Administration position would hold duties related to Human Resources/Labor Relations, Public Information Officer (PIO), Transit and general oversight of the administrative office as designated by the County Administrator. This position would be separate from the current deputy role that specializes in business services. Mr. Huffer added that although there is current budget authority for a management analyst position, it would be removed if the other proposed positions were approved. The Board also addressed administrative performance evaluations which have not been done since March 2020. After discussion, the consensus of the Board was to direct staff to provide additional budgetary information and job description language. There was no action taken.

b. End of work session

G. CONSENT AGENDA:

Commissioner Berschauer moved approval of the consent agenda. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye. Commissioner Berschauer also mentioned a vacant Budget Committee position which is posted on the county website.

Minutes

1. a. B.O. 24-43 - September 7, 2023; Formal/Informal Session;
- b. B.O. 24-44 - September 14, 2023; Formal/Informal Session;
- c. B.O. 24-45 - September 21, 2023; Formal/Informal Session;
- d. B.O. 24-46 - September 28, 2023; Formal/Informal Session;
- e. B.O. 24-47 - October 5, 2023; Formal/Informal Session;
- f. B.O. 24-48 - October 12, 2023; Formal/Informal Session;
- g. B.O. 24-49 - October 19, 2023; Formal/Informal Session;
- h. B.O. 24-50 - October 26, 2023; Formal/Informal Session;
- i. B.O. 24-51 - November 2, 2023; Formal/Informal Session;
- j. B.O. 24-52 - November 9, 2023; Formal/Informal Session;
- k. B.O. 24-53 - November 21, 2023; Special Formal Session; and
1. B.O. 24-54 - November 30, 2023; Formal/Informal Session.

Committees

2. **B.O. 24-55** - Approval to reappoint Jason Fields to the Yamhill County Budget Committee for a three-year term, retroactive to July 1, 2023, through June 30, 2026.

H. OLD BUSINESS:

1. Continuation of discussion of HHS/Public Health Vaccine/Rx Messaging. *[Continued from February 15, 2024].*

Commissioner Starrett addressed the proposed social media messaging refraining from vaccine efficacy promotion or influence but retaining neutral messaging regarding vaccine availability. Christian Boenisch responded to Board concerns of liability saying the intent of a messaging policy would not protect the county from potential liability. He added caution that policy language should not run contrary to what has already been agreed to under OHA contracts. Lindsey Manfrin added that requirements of messaging also extend to communicable disease notification which is a statute requirement of the Oregon Health Authority. She suggested examples of expanded messaging that would stay within the parameters of the proposed policy while providing additional information to the public.

- Peggy Kilburg gave public comment stating it is not the county's role to "be pushing" a vaccine. She discouraged promotion of COVID vaccine and boosters based on data and narrative which she said was "one-sided" and agreed with Board members that information should be limited to objective language only messaging its availability.

a. **B.O. 24-56** - Consideration of a policy stating Yamhill County HHS/ Public Health vaccine and pharmaceutical product social media and internet messaging will not contain attempts to influence people for or against a particular product or intervention emphasizing individual choice and informed consent.

After discussion, Commissioner Starrett called for the question to which Commissioner Johnston responded with suggested edits he would make to past HHS Facebook posts that would be in keeping with the proposed policy changes and handed those out to the Board and staff. After review and discussion, Commissioner Starrett moved approval of item H1a as amended. The motion passed, Commissioners Berschauer and Starrett voting aye, Commissioner Johnston voting nay.

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

1. **B.O. 24-57** - Consideration of approval of Agreement #182234 between Yamhill County Health and Human Services and the Oregon Department of Human Services/Oregon Health Authority for access to OHA systems for Community Certified Behavioral Health Clinics (CCBHC) reporting. #HHS24032IGA.

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

2. **B.O. 24-58** - Consideration of approval of Amendment #1 to Agreement #180161 between Yamhill County and the Oregon Health Authority (B.O. 23-176) extending the term to June 30, 2025. #HHS24036IGA.

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



3. **B.O. 24-59** - Consideration of approval of Amendment #3 to Grant Agreement #JR-23-033 between Yamhill County and the State of Oregon-Criminal Justice Commission (B.O. 21-500) extending the term through June 30, 2024, to allow use of the remaining, unspent funds in the amount of \$14,570 to complete current Diversity, Equity, and Inclusion (DEI) Capacity Building Grant projects.

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

4. **B.O. 24-60** - Consideration of approval of an intergovernmental agreement between Yamhill County and Portland State University for compensation study services, effective upon final execution through June 30, 2024, in the not to exceed amount of \$21,628.

Commissioner Starrett moved approval of item I4. 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-notice>

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 12:24 p.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS


Chair
LINDSAY BERSCHAUER


Commissioner
KIT JOHNSTON


Commissioner
MARY STARRETT