

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 August 10, 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 Counsel; Jodi Gollehon, Assistant County Counsel II; and Colton Totland, Assistant County Counsel. Nohely Barajas-Montalvo, Legal Assistant participated via Zoom.

Guests: Bubba; Jason Lampman; Joshua Fidelman; and Jennifer Leonard. Kathryn Jernstedt and Lee Schrepel 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 bocinfo@co.yamhill.or.us.*

A. CALL TO ORDER: Commissioner Berschauer called the meeting to order at 10:06 a.m. The meeting was delayed due to technical difficulties.

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 August 14– August 20, 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: 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 – 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. 23-298** - May 4, 2023; Formal/Informal Session;
- b. **B.O. 23-299** - May 10, 2023; Special Emergency Session;
- c. **B.O. 23-300** - May 11, 2023; Formal/Informal Session;
- d. **B.O. 23-301** - May 18, 2023; Formal/Informal Session; and
- e. **B.O. 23-302** - May 25, 2023; Formal/Informal Session.
- f. **B.O. 23-303** - June 1, 2023; Formal/Informal Session;
- g. **B.O. 23-304** - June 8, 2023; Formal/Informal Session;
- h. **B.O. 23-305** - June 15, 2023; Formal/Informal Session;
- i. **B.O. 23-306** - June 22, 2023; Formal/Informal Session; and
- j. **B.O. 23-307** - June 29, 2023; Formal/Informal Session.

Committees

2. **B.O. 23-308** - Approval of the following changes to the Local Public Safety Coordinating Council (LPSCC) membership roster, each for a three-year term to expire on July 1, 2026:
 - a. Appoint Dundee City Mayor David Russ, representing the City Counselor/Mayor position; and
 - b. Appoint Lafayette City Administrator Brandon Dross, representing the City Manager/Representative position.
3. **B.O. 23-309** - Approval of the following appointments and reappointments to the Habitat Conservation Plan (HCP) Committee, each for a three-year term to expire May 1, 2026:
 - a. Reappoint Mark Lago, Michal Wert, Dave Hanson, Jim Culbert, Scott Black, Dr. Paul Hammond, and Mikki Collins.
 - b. Appoint Neyssa Hays, and Travis Pease.

H. OLD BUSINESS: None.

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

1. **B.O. 23-310** - Consideration of approval to appoint three new members from the listed applicants to the Parks Advisory Board, each to a four-year term to expire on August 10, 2027:
 - a. Applicants: Allison Rush Petit, Anita Humlie, Lesley Anderson, David Hayes, Amanda Mehlhoff, Omega Rodela Garces, and Casey Heesacker.

Commissioner Johnston moved approval to appoint Amanda Melhoff, Omega Rodela Garces and Casey Heesacker. The motion passed as amended, Commissioners Berschauer, Johnston, and Starrett voting aye.

2. **B.O. 23-311** - Consideration of approval to update the Yamhill County Local Investment Policy.

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

3. **B.O. 23-312** - Consideration of approval of an agreement between Yamhill County Health and Human Services and the McMinnville School District to provide behavioral health counseling services for the 2023-24 school year in the not-to-exceed amount of \$67,409.91.

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

4. **B.O. 23-313** - Consideration of approval of Agreement #180909 between Yamhill County Health and Human Services and the Oregon Department of Human Services for the Ticket to Work and Self-Sufficiency Program in the not to exceed amount of \$60,000 retroactive to July 1, 2023, through June 30, 2025.

Commissioner Starrett noted these funds are to incentivize social security or disability clients to transition back into the workforce and moved approval of item I4. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

5. **B.O. 23-314** - Consideration of approval in the matter of an order authorizing an exemption from competitive bidding for a limited duration contract for Correctional Health Care Services with MedTrust, LLC.

It was noted that this contract was a stopgap to allow for transition of services from Wellpath to MedTrust services. A Request for Proposal process will take place in the next twelve months to select a provider. Colton Totland stated this order arose after Wellpath's announcement that they would be ceasing operations in the Jail and similar sized jails in Oregon. He added that there is no statutory timeline requirement and expressed confidence that twelve months would be sufficient time to select a provider. After discussion, Commissioner Berschauer moved approval of item I5. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

6. **B.O. 23-315** - Consideration of approval of a limited duration agreement between Yamhill County and MedTrust, LLC, for jail medical services, effective August 27, 2023, through August 26, 2024, in the amount of \$127,537.69 per month, maximum duration 12 months, subject to final review and approval of County Counsel's office.

Mr. Huffer noted that most of the funding for this agreement will come from the Jail budget and a small portion will be billed to Juvenile. Commissioner Berschauer moved approval of item I6. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

J. PUBLIC HEARINGS:

1. A second public hearing to discuss proposed amendments to the Yamhill County Zoning Ordinance (YCZO) in relation to the allowance of psilocybin crops and service centers in both EFU and AFU zones. *[1st public hearing was held on July 13, 2023].*

Jodi Gollehon prefaced the hearing stating that the drafted amendments were not submitted to the online packet for public review until this morning. She added that Friends of Yamhill County had requested a copy of the materials which they did not receive. Ms. Gollehon asked the Board to consider delaying the hearing for one week to allow for review. A copy of the draft amendments recommended by Friends of Yamhill County at the July 13th meeting were shared with Sid Friedman prior to submission of the final version. Mr. Friedman submitted a letter in support of the language as proposed which was also added to the record this morning. Ms. Gollehon clarified the changes added language regarding psilocybin service centers. Based on Ms. Gollehon’s explanation, the Board proceeded with the hearing.

Commissioner Berschauer opened the public hearing at 10:28 a.m. There was no public comment received. Commissioner Berschauer closed the public hearing at 10:28 a.m.

a. **B.O. 23-316** - Consideration of approval in the matter of Ordinance 929 amending the Yamhill County Zoning Code to clarify the allowance of psilocybin manufacturing and service centers within certain areas of Unincorporated Yamhill County, repealing Ordinance 922; declaring an emergency and setting the effective date.

Hearing no objections, Jodi Gollehon read the Ordinance twice into the record by title only. Commissioner Berschauer moved approval of item J1a. During discussion, Commissioner Johnston expressed concern that the service centers are on EFU land and not in city limits near services. He preferred that service centers be relocated to city commercial zones in the future that can provide more convenient sites. After discussion, the motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye. Ms. Gollehon confirmed that the Ordinance will take effect as of today, August 10, 2023.

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

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>

Kathryn Jernstedt participated via Zoom during Announcements wanting to provide public comment related to item J1. Ms. Jernstedt noted she was having issues with the Zoom link. She commented that she was unable to review the related materials and expressed disappointment that the public hearing was not postponed as recommended by counsel. Commissioner Berschauer recapped the reason for the Board deciding to proceed with the hearing. Ms. Gollehon confirmed that the materials had been added to the meeting packet and reiterated that they had been reviewed previously by Mr. Friedman. Ms. Gollehon offered to discuss any questions or concerns with Ms. Jernstedt if desired. Ms. Jernstedt requested that when future schedule issues arise, information be made available for public review in a timely manner.

Following Commissioner announcements, the meeting adjourned at 10:51 a.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair LINDSAY BERSCHAUER

Commissioner KIT JOHNSTON

Commissioner MARY STARRETT