

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 13, 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; Justin Hogue, Deputy County Administrator; Christian Boenisch, County Counsel; Gioia Goodrum, Economic Development; Sheriff Sam Elliott; Tiffany Willis, Associate Planner; and Carolina Rook, BOC Staff. Ken Friday, Planning Director; Nohely Barajas-Montalvo, Legal Assistant participated via Zoom.

Guests: John Olson, Evan Norris, Lynn Norris, Richard mason, Todd Godfrey, J. Steven Miller, Doug Bartlett, Dave Rucklos, Elaine Howard, David “Bubba” King. Bryan Mullen, Mike Connors, Lee Schrepel, Josh 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@yamhillcounty.gov](mailto:bocinfo@yamhillcounty.gov).*

**A. CALL TO ORDER:** Commissioner Berschauer called the meeting to order at 10:02 a.m.

**B. FLAG SALUTE**

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

The Commissioners reviewed the joint schedule for the week of June 17 – June 23, 2024. No other county business was discussed.

**D. PUBLIC COMMENT:** This time 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 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.

Surplus

1. **B.O. 24-155** - Approval for Public Works to designate the following items as surplus and to be sold through PublicSurplus.com per Ordinance 499:

- P-305 is a 2019 Dodge Charger sheriff patrol vehicle that was involved in a motor vehicle accident with heavy front-end damage and is a total loss with an estimated repair cost of \$27,809.92. Estimated value \$1500.
- P-316 is a 2021 Dodge Durango Pursuit sheriff patrol vehicle that was involved in a rollover accident and is a total loss with an estimated repair cost of \$45,465.45. Estimated value \$1,000
- P-030 is a 2013 Ford Fusion sheriff detective vehicle that was involved in a motor vehicle accident and is a total loss with an estimated repair cost of \$17,247.43. Estimated Value \$1,000
- P-290 is a 2016 Ford police interceptor sheriff patrol vehicle due for replacement with 147,517 miles (estimated value \$10,000)

Note: Sheriff patrol vehicles are typically replaced at 140,000 miles.

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**H. OLD BUSINESS:** None.

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

1. **B.O. 24-156** - Consideration of approval of a purchase order between Yamhill County Youth Services Center (YCYSC) and Tek84 Inc. for the purchase of a body scanner in the amount of \$181,500 effective July 1, 2024. #DET24002GS.

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

2. **B.O. 24-157** - Consideration of approval of Amendment #1 to Intergovernmental Agreement #6554 between Yamhill County and the State of Oregon's Department of Corrections (B.O. 23-378) increasing funding in the amount of \$358,631 to assist with implementation of HB 4002, BM 110 reform effective upon full execution through June 30, 2025.

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

3. **B.O. 24-158** - Consideration of approval of an agreement between Yamhill County and Legacy Contracting, Inc. for the construction of the NE Ribbon Ridge Road Bridge Maintenance Bundle Project in the amount of \$343,188.95 effective upon notice to proceed through October 30, 2024. #PW24Con011

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

4. **B.O. 24-159** - Consideration to authorize Public Works to purchase a 2024 Flush Truck from Premier Truck Group of Portland in the amount of \$314,123.

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

5. **B.O. 24-160** - Consideration of approval of Amendment #3 to an agreement between Yamhill County Public Health and the Multnomah Education Service District (MESD) for Medicaid administrative claims processing services extending the agreement date through June 30, 2025, and increasing the administrative fee from \$56,594 per year to \$59,396 per year.

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

6. Consideration of approval in the matter of a resolution and board order for Yamhill County Board of Commissioners to concur with the inclusion of a public building project in the Dayton Urban Renewal Plan.

Dave Rucklos presented that the City of Dayton would need additional funds to accommodate the growth they had been experiencing. Elaine Howard stated that the maximum indebtedment was \$29,400,000 over an estimated 25-year period for the plan. One of the public projects that the funds requested would be used for was \$1,000,000 for capital expenditures for the Dayton Fire District. The other proposed project was \$1,000,000 to be used for capital improvements for the Dayton School District. Chair Berschauer agreed with Ms. Howard to provide the Boards decision in writing so that their discussion would not be assumed per statute and directed staff to provide a letter detailing the County's decision to the City of Dayton and Urban Renewal Agency within 45 days.

After discussion, the consensus of the Board was to continue item I6 to June 20, 2024. There was no action taken.

7. Consideration of approval of a recommendation from Economic Development Competitive Grant Review Committee regarding the Economic Development Competitive Grant program.

Commissioner Starrett directed staff to provide a list of applicants, last five years of recipients of County funds, and review committee information. After discussion, the consensus of the Board was to continue item I7 to June 20, 2024. There was no action taken.

8. **B.O. 24-161** - Consideration of approval of a contract between Yamhill County and Camp Fire Columbia to provide summer enrichment programming in the amount of \$291,443.89 effective June 24, 2024, through August 8, 2025.

Commissioner Berschauer moved approval of item I8. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

9. **B.O. 24-162** - Consideration of approval of Illegal Marijuana Market Enforcement Grant (IME 23-13) between Yamhill County and the Oregon Criminal Justice Commission in the amount of \$965,460 effective June 13, 2024, through December 31, 2025. #SO24015GA

Commissioner Berschauer moved approval of item I9. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

10. **B.O. 24-163** - Consideration of approval of amendment #1 to an agreement between Yamhill County and Newberg Animal Shelter Friends (B.O. 23-294) increasing the base agreement amount to \$36,500 and extending the contract period through September 30, 2024. #SO24004GS

Commissioner Starrett moved approval of item I10. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye.

The meeting was recessed at 10:59 a.m. and resumed at 11:04 a.m.

**J. PUBLIC HEARINGS:**

1. Receipt of public comment on the 2024-25 County budget.

Commissioner Berschauer opened the public hearing at 11:05 a.m.

Doug Bartlett stated that he had concerns about the fairness of moving allocated funds from one department to another as previously discussed in budget committee meetings. He also questioned whether best practices were used when establishing the budget. Lastly, he raised concerns about increased homelessness and questioned how decreasing funds from Yamhill County Health and Human Services (HHS) would affect the homeless community.

Commissioner Berschauer responded by explaining the process of developing the budget, and that the department which received the reallocated funds from HHS also works directly with the homeless population.

Commissioners Starrett and Johnston added similar input in support of Commissioner Berschauer's response.

Commissioner Berschauer closed the public hearing at 11:16 a.m.

Deliberation: B.O. 24-164 - Consideration of approval of the 2024-25 budget changes as presented by the budget officer.

After discussion, Commissioner Berschauer moved approval as amended. The motion passed, Commissioners Berschauer, Johnston, and Starrett voting aye. Final budget Version 40 will be prepared for consideration of adoption on June 20, 2024.

2. Docket #M-02-24/SDR-02-24: A sight design review for the construction and operation of a new wireless communications facility consisting of a 125-foot monopole tower with associated equipment cabinets, emergency diesel generator, and cabling. Applicant: Mike Unger rep. ACOM Consulting for Verizon Wireless. Tax Lot: 4408-00201. *[Continued from May 9, 2024, at the point of Staff Recommendation].*

Commissioner Berschauer opened the public hearing at 11:30 a.m.

Staff Recommendation: Tiffany Willis read the staff recommendation into the record, recommending approval of the applicants proposed cell tower with the conditions of approval listed in the staff report.

Commissioner Berschauer closed the public hearing at 11:30 a.m.

Deliberation: After discussion, Commissioner Starrett moved to uphold the Planning Director's recommendation to approve the application for the construction and operation of a wireless communications facility on Tax Lot 4408-0021 with a change in conditions of approval, including that the cell tower shall have a stealth mono-pine design as suggested by the applicant. The motion passed, Commissioners Berschauer, Johnston and Starrett voting aye. Findings and conditions will be prepared for adoption which is scheduled for June 27, 2024.

THE RECORDS FOR PUBLIC HEARINGS CAN BE FOUND AT:  
<https://www.yamhillcounty.gov/1190/Public-Hearing-Notices>.

**K. ANNOUNCEMENTS:**

1. For information on county advisory committee vacancies, please refer to the county's website, <https://www.yamhillcounty.gov/765/Boards-and-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@yamhillcounty.gov](mailto:bocinfo@yamhillcounty.gov).

3. Electronic versions of all meeting agendas and meeting information packets can be found at the county's website: <https://www.yamhillcounty.gov/AgendaCenter>.

Following Commissioner announcements, the meeting adjourned at 11:56a.m.

Bailey Barnhart  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

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Chair LINDSAY BERSCHAUER

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Commissioner KIT JOHNSTON

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Commissioner MARY STARRETT