

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 April 3, 2025, at 10:00 a.m. in Room 32 of the Yamhill County courthouse, and in a virtual meeting via Zoom, Commissioners Kit Johnston, Mary Starrett, and David "Bubba" King being present.

Also present were Ken Huffer; County Administrator, Christian Boenisch; County Counsel, Jodi Gollehon; County Counsel, Bailey Barnhart and Carolina Rook; BOC Staff, Ashley Watkins; Solid Waste Coordinator, Paulette Alexandria; Treasurer, Travis Pease; Public Works Manager, Mark Lago; Public Works Director, Lindsey Manfrin; HHS Director, Mikalie Moreno; Senior HR Analyst, Megan Marasco; HR Generalist, Krista Stieber; HR Specialist, and Patricia Rojas; HR Director, Nohely Barajas-Montalvo; Legal Assistant and Greg Haffner, Engineering Manager, attended via Zoom.

Guests: Linda McGrew, Kim Morris; Mayor of the City of McMinnville, Nessa Hayes; Chair of Public Works Advisory Board, Rebecca Wallis, Kathy Sitton, Craig Markham, Lee Schrepel, Beth L's iPhone, and Daniel Blue with Recology attended 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 bocinfo@yamhillcounty.gov.

A. CALL TO ORDER: Commissioner Johnston called the meeting to order at 10:00 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 April 7, 2025 - April 13, 2025. No other county business was discussed.

B.O. 25-124

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.

Linda McGrew provided an in person public comment to make the Board aware of a land swap situation regarding her property in the City of Dayton. She mentioned her overall experience having to deal with Dayton's County Counsel and departments that she wanted the Board to be aware of.

Commissioner Johnston acknowledged received written public comments via email regarding litter patrol.

E. DEPARTMENT UPDATES: Parks – Travis Pease.

Travis Pease, Parks Manager, along with Mark Lago, Public Works Director, gave an overview of their department. The main goal for this year was to focus on proactive maintenance, address lower costs on deferred maintenance items, and provide standard of care for the existing parks. They are working with the counties IT department to finish installing and updating the camera system at Rogers Landing Park.

The department has been working on their Parks System Plan and last April, received their RFP proposals to work with the design workshop, which was brought before the Board for approval. They have been meeting with the design workshop every other week, for numerous plans in development. Currently, this plan is 75% complete. The Board will see the draft and final Parks System Plan draft, around July 2025, for the consideration of approval.

Nessa Hayes, Chair for the Park and Recreation Advisory Board, stated their Board members have contributed a total of 646 volunteer hours this fiscal year, updating bylaws, ordinances and contributed to the redesign of the county website Parks pages.

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 – Discussion of Behavioral Health Housing Services Grant Funds.

Lindsey Manfrin and the Board discussed potential uses of remaining HB5202 housing funds. Yamhill County was awarded over \$3 million dollars to support behavioral health housing services. The awarded funds were used for capital investments related to mental health residential treatment facilities, alcohol & drug treatment facilities, adult foster homes for individuals with mental illness, and housing supports for individuals. The remaining unobligated balance of \$1.3 million dollars was reserved to add an additional Transitional Treatment and Recovery Services (TTRS) facility, but Ms. Manfrin said a house has not been acquired. Obligated funds are due by December 31, 2025, otherwise the unobligated funds will be returned to the state.

Ms. Manfrin said the deadline to obligate funds is December 31, 2025, otherwise the unobligated funds would be returned to the state. She stated the most sustainable option to use the remaining funds would come through Medicaid billing. These funds would support capital and on-going operational costs of the program. The biggest hardship would be finding the correct housing for these programs.

B.O. 25-124

G. CONSENT AGENDA:

Commissioner Johnston moved approval of item G2. The motion passed, Commissioners Johnston, Starrett, and King voting aye.

Minutes

1. **B.O. 25-84** - a. February 6, 2025 - Formal Minutes.
B.O. 25-85 - b. February 13, 2025 - Formal Minutes.
B.O. 25-86 - c. February 20, 2025 - Formal Minutes.
B.O. 25-87 - d. February 27, 2025 - Formal Minutes.

Committees

2. **B.O. 25-88** - Approval to appoint Russ Thomas to the Road Improvement Advisory Committee (RIAC) for a 3-year term to expire on April 3, 2028.

H. OLD BUSINESS:

1. **B.O. 25-89** - Consideration to authorize Yamhill County Solid Waste to submit 5 funding authorization forms and determine which authorization level (**Full**, **Partial** or **None**) should be given for each funding category, for each service provider or other entity in regards to Transportation, Contamination Evaluation, Contamination Reduction Programming, Recycling Service Expansion Identified in the Needs Assessment, and Purchase of Post-Consumer Recycled Content Collection Containers that are due to DEQ by March 31, 2025. *[Continued from March 27, 2025.]*

Ashley Watkins, Solid Waste Coordinator, addressed the recycling Modernization Act providing a statewide collection recycling list that would apply to both cities and counties. DEQ has requested that all counties and cities determine what authorization for each of five funding categories, and for each of the area service providers that local governments, or other entities, would receive reimbursement fees from. She added that if the county were to give no authorization, the county would be responsible for developing procedures for reimbursement costs to transport materials more than 50 miles, which the provider would have to provide documentation to receive any reimbursement.

Daniel Blue, from Recology, confirmed that the funding agreement chosen would be a legal contract between the county and the Circular Action Alliance (CAA) or if the funds are delegated, the funds go directly to the service providers, being Waste Management or Recology. By entering into a legal contract with CAA, the service provider would take responsibility for overall reporting, liability, and obligation to use the funds as assigned. Mr. Blue recommended that the Board focus their time on the per capita which is currently at \$3 and obligated to be used for contamination reduction education and outreach. April 15, 2025, is the final deadline for the funding authorization forms to be submitted. If the submissions are not made by April 15, this county would lose the opportunity for the 2025 funding cycle.

After discussion, Commissioner Johnston moved approval of full authorization for Yamhill County Solid Waste to submit 5 funding authorization forms and fully authorize, each

B.O. 25-124

funding category, for each service provider or other entity. Ms. Gollehon recommended adding yearly reporting from the service providers.

Commissioner Johnston amended his motion of item H1 as recommended by county counsel. The motion passed, Commissioners Johnston, Starrett, and King voting aye.

2. **B.O. 25-90** - Consideration of approval of Ordinance 941 in the matter of amending the Yamhill County Parks Code; the Wheatland Boat Ramp Parking Regulations; and the Rogers Landing Park Fee Schedule; declaring an emergency and setting the effective date. *[Continued from February 27, 2025.]*

It was clarified that the ordinance was structured to amend the fee schedule via a board order in the future. Hearing no objections, Jodi Gollehon read Ordinance 941 into the record twice by title only. Commissioner Johnston moved approval of item H2. The motion passed, Commissioners Johnston, Starrett, and King voting aye.

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

1. **B.O. 25-91** - Consideration of approval in the matter of adopting the Family and Medical Leave Policy and setting the effective date to April 18, 2025.

Commissioner Johnston moved approval of item I1. Ken Huffer requested the motion be amended to include the effective date of April 18, 2025. The motion passed as amended, Commissioners Johnston, Starrett, and King voting aye.

2. **B.O. 25-92** - Consideration of approval in the matter of adopting the Yamhill County Whistleblower Policy as amended and setting the effective date to April 18, 2025.

Commissioner Johnston moved approval of item I2. Ken Huffer requested to amend the motion to include the effective date of April 18, 2025. Commissioner Johnson requested that language in Section 3.07, replaced "disciplinary" with "termination" because it would be covered in Section 3.08. County Counsel, Jodi Gollehon, advised that while the motion was pending, Commissioner Johnston would need to motion to amend the policy, Section 3.07, Subsection A, to include the terms "up to and including termination".

Commissioner Johnston restated his motion of approval of item I2 as amended. The motion passed, Commissioners Johnston, Starrett, and King voting aye.

Jodi Gollehon recommended that the Board also move approval of the actual policy.

Commissioner Johnston moved approval of the Whistleblower Policy as advised by County Counsel. The motions passed, Commissioners Johnston, Starrett, and King voting aye.

3. **B.O. 25-93** - Consideration of approval in the matter of adopting the Yamhill County Campsite Removal and Property Storage Policy as amended and setting the effective date to April 18, 2025.

Commissioner King moved approval of item I3. He also began discussion regarding the term "eating" in the policy and how that equated to camping. To allow counsel time to review statute, Commissioner King rescinded his motion, and the Board continued to item I4.

The Board returned to item I3 after completing discussion of item I4. After review, Ms. Gollehon, stated that statute language did not mention "eating" could be removed. The language

B.O. 25-124

from the camping statute is “lying, sleeping, sitting, or keeping warm and dry”. Ms. Gollehon said the policy can mimic the statutes language with the recommendation of only including “lying” and “sleeping”. She clarified that while this was not meant to be an enforcement code, it would allow county employees to remove homeless camping from county properties. In summary, Ms. Gollehon recommended that the motion be approved minus the word “eat”. After discussion, Commissioner King moved approval of item I3 as amended. The motion passed, Commissioners Johnston, Starrett, and King voting aye.

4. Consideration of approval in the matter of formally adopting the Yamhill County Employee Handbook Policy and setting the effective date to April 18, 2025.

Commissioner Kit Johnston made a motion for approval of item I4. Commissioner Starrett asked for clarification on proposed policy language concerning social media postings or in a publication of record such as a newspaper without impeding on an employee’s 1st Amendment rights. County Administrator, Ken Huffer, said the intent of the language in the handbook is that all county employees have 1st Amendment Rights when they're off the clock; however, employees cannot speak on behalf of the county or stating a position as representing the county in any way.

County Counsel, Jodi Gollehon, stated that this was added because if an employee were to do this now or anytime in the past, there would be no way for the county to hold them accountable or for the employee to know that expectation. With this being added, the county would have the ability to discipline. Commissioner Starrett inquired about changing the language to include overall media, such as the newspaper. Ms. Gollehon stated that if there were to be an employee who wanted to put their opinions on a publicly accessed domain, there should be an additional general ethical policy rather than media policy.

Patricia Rojas, HR Director, addressed existing provisions included in the county’s bullying policy prohibiting bullying, slander and maligning. Ms. Rojas stated that social media has become such a targeted point and listed identifying factors that would make it easier to hold policy violators accountable. Ms. Gollehon added that enforcing an ethical expectation around what could be said by a person representing themselves as a county employee on the county’s behalf could be outlined in a policy referenced in the employee handbook which Commissioner Starrett expressed interest in being defined.

County Counsel, Christian Boenisch stated that if this policy were to be adopted, it could come back to the Board for amendments.

After discussion, Commissioner Johnston restated his motion for approval of item I4 and setting the effective date for April 18, 2025. The motion failed. Commissioner King voting aye, Commissioner Starrett and Johnston voting nay. The Board returned to item I3.

5. **B.O. 25-94** - Consideration of approval to provide Intent to Award for the Yamhill County Public Works 2025 Chip Seal Project to Sierra Santa Fe Corporation in the amount of \$1,484,740.

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

B.O. 25-124

6. **B.O. 25-95** - Consideration of approval of the 2025-27 Oregon Department of Education Youth Development Oregon Juvenile Crime Prevention Plan.

Commissioner King moved approval of item I6. The motion passed, Commissioners Johnston, Starrett, and King voting aye.

7. **B.O. 25-96** - Consideration of approval to rescind B.O. 25-82 and approve Amendment #1 to Grant Agreement #10757400 between Yamhill County and Chemeketa Community College for the Early Childhood Educator Educational Development Program to modify funding distribution terms, effective through December 31, 2026. #GR25001GS.

Commissioner Starrett moved approval of item I7. The motion passed, Commissioners Johnston, Starrett, and King voting aye.

J. PUBLIC HEARINGS: None.

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

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 12:18 p.m.

Jessica Andre
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS



Chair

KIT JOHNSTON



Commissioner

MARY STARRETT



Commissioner

DAVID "BUBBA" KING

Approved by the Yamhill County Board of
Commissioners on 05/01/2025
via Board Order 25-124