

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 formal session on April 11, 2019, at 10:00 a.m. in Room 32 of the courthouse, Commissioners Richard L. “Rick” Olson, Mary Starrett, and Casey Kulla being present.

Also present were Ken Huffer, County Administrator; Christian Boenisch, County Counsel; Todd Sadlo, Senior Assistant County Counsel; Josephine Ko, Assistant County Counsel; Mikalie Frei, County Counsel staff; Brad Berry, District Attorney; Sarah Grabner-Knorr, D.A. Legal Assistant; Mary Beth, Crime Victim Therapy Dog ; Catherine Lindberg, Public Works Senior Office Assistant; Ken Friday, Planning Director; Lance Woods, Associate Planner; Dave Adams, KLYC Radio; Nicole Montesano, News-Register; and others as listed on the sign-in sheet.

Commissioner Olson called the meeting to order at 10:01 a.m.

*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 agenda 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.*

**A. PUBLIC COMMENT:** This thirty-minute 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.

Joseph Galt commented regarding manufactured structures classified as real or personal property under ORS 308.875(1).

**B. CONSENT AGENDA:** Commissioner Kulla moved approval of items B1 through B4. The motion passed, Commissioners Olson, Starrett and Kulla voting aye.

Minutes

1. a. **B.O. 19-101** - January 10, 2019 – Formal Session;
- b. **B.O. 19-102** - January 17, 2019 – Formal Session;
- c. **B.O. 19-103** - February 19, 2019 – Informal Session;
- d. **B.O. 19-104** - February 28, 2019 – Formal Session and;
- e. **B.O. 19-105** - March 5, 2019 – Informal Session

Contracts & Grants

2. **B.O. 19-106** - Approval of an agreement between the Housing Authority of Yamhill County and Yamhill County Health and Human Services to support low income housing needs, retroactive to April 1, 2019.
3. **B.O. 19-107** - Approval to authorize Silas Halloran-Steiner on behalf of Yamhill County Health and Human Services (YCHHS) to apply for the Promoting Integration of Primary and Behavioral Health Care (PIPBHC) Grant administered through the Oregon Health Authority to support YCHHS as a Certified Community Behavioral Health Clinic (CCBHC). Application deadline is April 15, 2019.

Committees

4. **B.O. 19-108** - Approval of the following changes to the Yamhill County Mental Health and Developmental Disabilities Advisory Committee:
  - a. Accept the resignation of Charlie Bates
  - b. Appoint Pauline Metoxin and Tiffany Swanson, terms to expire May 2022
  - c. Reappoint Robert Porath, Tim Svenson, Nancy Keim, Kristi Long, Megan Ramos and Erin Stevens McKay, terms to expire May 2022

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**C. OLD BUSINESS:** None.

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

1. **B.O. 19-109** - Consideration of adopting Resolution 19-04-11-1 proclaiming April 7<sup>th</sup> – 13<sup>th</sup>, 2019 as National Crime Victims’ Rights Week.

Mr. Berry commented on the recognition of the NCVRW. Commissioner Olson read the resolution into the record. Commissioner Starrett moved approval of item D1. The motion passed, Commissioners Olson, Starrett and Kulla voting aye.

2. **B.O. 19-110** - Consideration of accepting the proposed Yamhill County Economic Development Community Grant Program.

Commissioner Starrett moved approval of item D2. The motion passed, Commissioners Olson, Starrett and Kulla voting aye.

3. **B.O. 19-111** - Consideration of the appointment of the following to serve on the 2019-2020 Grants Review and Recommendation Committee for the Yamhill County Economic Development Community Grant Program, as recommended by SEDCOR and the Economic Development Advisory Council:

- a. Susan Jurasz, Alvin Elbert, Deven Paolo, Barbara Bond, Kenna West, Kevin Perkins and Dennis Durham.

Commissioner Kulla moved approval of item D3. The motion passed, Commissioners Olson, Starrett and Kulla voting aye.

4. **B.O. 19-112**- Consideration of accepting the ODOT Bridge Committee grant award to rehabilitate the Deer Creek Park Road bridge during the 2022-24 federal bridge project funding.

Commissioner Starrett moved approval of item D4. The motion passed, Commissioners Olson, Starrett and Kulla voting aye.

5. **B.O. 19-113** - Consideration of approval of change order #2 to the agreement between Yamhill County and Baker Rock Resources, Inc. (B.O. 18-158) for the 2018 Maintenance Improvement Project (MIP) Public Works Overlay Project, effective upon approval. Total project cost in the amount of \$179,350.90.

Mr. Huffer noted that this project was previously approved as part of the 2018 Maintenance Improvement Project list. Commissioner Kulla moved approval of item D5. The motion passed, Commissioners Olson, Starrett and Kulla voting aye.

**E. PUBLIC HEARINGS:**

1. **B.O. 19-114** - Docket #C-34-18: An appeal of the Planning Commission's approval of a conditional use request to increase the number of guestrooms offered at an existing bed and breakfast from four (4) guestrooms to nine (9). Applicant: Abbey Road Farm.

Commissioner Olson opened the public hearing at 10:27 a.m. There were no abstentions or objections to the jurisdiction of the Board to hear the matter before it and no reports of site visits or ex parte contact were received.

Ken Friday read the ORS required by law at the opening of a quasi-judicial land use hearings and read the "raise it or waive it" rule.

Staff Report: Mr. Woods presented the staff report stating the applicant's intention to reduce the number of guestrooms offered at an existing bed and breakfast.

Applicant: Elaine Albrich, representing Abbey Road Farm, stated negotiations between Friends of Yamhill County and the applicant were successful in reaching a mutual settlement agreement and asked the Board to consider adopting the settlement agreement.

Appellant: Kathryn Jernstedt, representing Friends of Yamhill County, stated the FYC concurs with the proposed changes and the conditions of approval as submitted in Ms. Albrich's email and satisfies the FYC's appeal. She requested the Board consider having a future conversation regarding Planning Commission policy enforcement.

Sid Friedman stated he is pleased that an acceptable agreement was reached. He commented on the need for policy guidance which is relative to the decision before the Board. He addressed the conditions of approval, highlighting the statute which prohibits meal services being permitted prior to the construction of a winery.

Public Agency Reports: Mr. Woods reported that no public agency reports were received.

Rebuttal by Applicant: Ms. Albrich opened her time to any questions by the Board. She stated the winery is established and has met the local land use approval and permits are in order.

There were no requests to keep the record open.

Staff Recommendation: Mr. Woods stated the staff recommendation is to approve the application with the modified conditions as agreed upon by the applicant.

Proponent: Kathryn Jernstedt spoke on behalf of Friends of Yamhill County. She stated they concur with the conditions and changes as presented.

Commissioner Olson closed the public hearing at 10:41 a.m.

Deliberations: Commissioner Kulla moved to approve the conditional use request with the amended conditions of approval. The motion passed, Commissioners Olson, Starrett and Kulla voting aye. Mr. Sadlo stated the final written decision and findings to be adopted will be brought back to the Board on April 25, 2019.

**F. ANNOUNCEMENTS:**

1. For information on county advisory committee vacancies, please refer to the county’s website, [www.co.yamhill.or.us/content/volunteer-opportunities](http://www.co.yamhill.or.us/content/volunteer-opportunities) , or call the Board of Commissioners’ office at 503-434-7501 or 503-554-7801 (toll-free from Newberg).

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)

Following Commissioner announcements, the meeting adjourned at 10:55 a.m.

Carolina Rook  
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

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Chair RICHARD L. “RICK” OLSON

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Commissioner MARY STARRETT

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Commissioner CASEY KULLA