

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/informal session on April 30, 2020, at 10:00 a.m. in Room 32 of the courthouse, Commissioners Casey Kulla, Mary Starrett and Richard L. “Rick” Olson being present.

Also present were Ken Huffer, County Administrator; Christian Boenisch, County Counsel and Ken Friday, Planning Director.

Welcome! Due to COVID-19 and social distancing requirement, attending the meeting is discouraged. The public can view the meeting via YouTube link on the Yamhill County Meetings page. <https://www.co.yamhill.or.us/meetings>. See below for instructions regarding submitting general public comment or comments on agenda items.

A. CALL TO ORDER

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

B. FLAG SALUTE

C. PUBLIC COMMENT: *Due to COVID-19 and social distancing requirements, we encourage anyone wishing to submit general public comment or comments on agenda items to do so in written format via email at bocinfo@co.yamhill.or.us or by mail at 535 NE Fifth St., McMinnville, OR 97128. Any comments received prior to the meeting will be shared with the Board of Commissioners and submitted to the record.*

There was no public comment received via the bocinfo@co.yamhill.or.us email address but Board members did receive public comments regarding agenda item F4 via individual email addresses.

D. CONSENT AGENDA: None.

E. OLD BUSINESS:

1. **B.O. 20-140** - Consideration of a proposal to support a back-up emergency shelter. *[Continued from April 23, 2020].*

Commissioner Kulla addressed the proposal of an isolation shelter for those in the homeless population who have been exposed or displaying symptoms to COVID-19. Commissioner Kulla stated the program is already in effect with a goal of having up to 20

available hotel rooms to house individuals or families. Commissioner Starrett addressed the ancillary needs such as food and supports and said that YCAP has been instrumental in assisting. Commissioner Kulla stated the county's contribution of \$50,000, in partnership with YCAP, HHS and the Cities of McMinnville and Newberg, would cover program expenses through June and could serve as a match for other funding sources with the potential of being reimbursed through FEMA up to 75%. Commissioner Starrett expressed concerns that FEMA reimbursements would not be applicable to this program; she proposed a "pay as we go" option for individual positive COVID-19 cases using available state funding to mitigate costs.

After discussion, Commissioner Olson moved approval of item E1. After further clarification of the amount and the funding source, Commissioner Olson amended his motion to limit the amount of \$50,000 and asked staff to identify the funding source. Mr. Huffer recommended the O&C fund. The motion passed, Commissioners Kulla and Olson voting aye, Commissioner Starrett voting nay. There was additional discussion about reimbursing county funding from other funding sources. Mr. Huffer will take steps to find reimbursable funding.

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

1. **B.O. 20-141** - Consideration of approval of Amendment #8 to Agreement #159184 between Yamhill County and the Oregon Health Authority (B.O. 19-228) for the financing of Community Health, Addiction Treatment, Recover & Prevention and Problem Gambling Services in the amount of \$15,000 for the fiscal year July 1, 2019 through June 30, 2020.

Commissioner Kulla moved approval of item F1. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

2. **B.O. 20-142** - Consideration of approval of Amendment #8 to Agreement #159833 between Yamhill County Health and Human Services and the Oregon Health Authority (B.O. 19-222) for the financing of Public Health Services in the amount of \$101,930, for the fiscal year July 1, 2019 through June 30, 2020.

Commissioner Starrett moved approval of item F2. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

3. **B.O. 20-143** - Consideration of the approval of the Yamhill County Immediate Relief Grant Program list of recipients as recommended by the grant review committee.

Commissioner Starrett raised the question regarding the eligibility of a dispensary being on the grant recipient list. There was discussion about the alternate list and additional due diligence to confirm the economic loss of the dispensary. Mr. Boenisch presented the grant agreement stating that the recipients will agree to utilize the grant funds for the purpose as stated in their grant applications. Commissioner Kulla disclosed a potential conflict of interest noting he has sold product to several businesses on the recipient list but was able to participate in the vote. Commissioner Olson moved approval of item F3. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

4. **B.O. 20-144** - Consideration of a letter of support to Governor Kate Brown waiving the certificate of need requirement for Willamette Valley Behavioral Health.

Michael Sorenson, Director of Business Development at Universal Health Services participated by phone to address questions regarding the certificate of need to construct a new healthcare facility. Commissioner Starrett noted the need for additional bed facilities to be used for psychiatric respite which the county does not have access to. Mr. Sorenson said the process is lengthy and this is the second time proposing the certificate of need with the state. He said there is need for a second hospital which provides level of care supports for people with psychiatric challenges. It would provide 100 additional beds in the state, 20 of which would be for adolescents as well as additional outpatient services. He verified that the Governor's Executive Order includes approval to waive certificates, as this during an emergency declaration. He said that they are pursuing the certificate but also requesting the waiver as a parallel process as the certificate process is not yet complete. Currently, Cedar Hills is at 90% capacity. Discharges are released according to the action plan of each individual but returned to the county of origin whenever possible to retain continuity of care. He stated Cedar Hills has not received reimbursements from CCO's due in part to Cedar Hills being an out of network facility and therefore cannot charge for OHP clients; the State supports CCO's in a "no obligation" policy. Mr. Sorenson said the hospital could be ready to receive patients in 9-12 months barring any barriers. Commissioner Kulla moved approval of item F4. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

5. **B.O. 20-145** - Consideration of submitting a letter of support to the Oregon Department of Transportation (ODOT) for the 2020 BUILD grant application to support design and construction of the I-5: Aurora-Donald Interchange Improvement Project.

Commissioner Olson moved approval of item F5. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

6. **B.O. 20-146** - Consideration of approval to authorize seven (7) working days of leave without pay for employee #2799, effective April 22, 2020 with an anticipated end date of May 1, 2020.

Commissioner Kulla moved approval of item F6. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

7. **B.O. 20-147** - Consideration of approval to authorize eight (8) working days of leave without pay for employee #4750, effective April 29, 2020 with an anticipated end date of May 11, 2020.

Commissioner Olson moved approval of item F6. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

8. **B.O. 20-148** - Consideration of a real estate purchase and sale agreement with City of McMinnville, foreclosed tax parcel R4421CC-00500.

Commissioner Olson moved approval of item F8 with additional language provided by county counsel. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

9. **B.O. 20-149** - Consideration of a forty-five (45) day extension to the current COVID-19 Temporary Telecommuting Policy, retroactive to April 20, 2020. Policy will expire upon the termination of the state of emergency declared by the Governor of Oregon or June 4, 2020, whichever occurs first unless extended by the Board of Commissioners.

Commissioner Starrett moved approval of item F9. The motion passed, Commissioners Kulla, Starrett and Olson voting aye.

10. Discussion of Polk County Commissioner Pope's request that Commissioner Starrett (AOC District 6 - Chair) represent Yamhill County in regional discussion regarding reopening plans for Yamhill, Marion and Polk Counties.

Commissioner Starrett noted that the District 6 counties will collaborate on how to move forward and discuss reopening plans. The consensus of the Board was to allow Commissioner Starrett to move forward. No action was taken.

Commissioner Kulla called for a recess at 11:41 a.m. and reconvened at 11:49 a.m.

G. PUBLIC HEARINGS:

1. Docket #G-01-18: Yamhelas Westsider Trail remand, (written testimony and evidence only).

Commissioner Kulla opened the public hearing at 11:49 a.m.

There were no abstentions or objections, and the Board noted ex-parte contacts. Ken Friday read statements required under ORS 197.763(5) regarding land use public hearings. He stated the applicant's representative Todd Sadlo requested a remand hearing on behalf of his client. His recommendation, based on previous rebuttal hearing precedent, was to keep the record open if new evidence was presented. Based on both sides' timeline expectations, Mr. Friday recommended that the record shall remain open until 10:00 a.m. on May 14, 2020, for all parties to submit written testimony or evidence to the Planning Department at 525 NE 4th Street, McMinnville. The Board shall reopen at 10:00 a.m. on May 14, 2020 in room 32 for a representative of the applicant and a representative of the opponent to provide oral testimony. The record shall then be open for the applicant only to submit final written argument with no new evidence until 5:00 p.m. on May 19, 2020. At that point the record shall be closed. The Board of Commissioners shall reopen the hearing at 10:00 a.m. on May 21, 2020, in Room 32 of the Yamhill County courthouse at the point of deliberation.

Commissioner Kulla moved approval of the continuation of the hearing as recommended by Mr. Friday. The motion passed, Commissioners Kulla, Starrett and Olson voting aye. The public hearing was recessed at 12:19 p.m. until May 14, 2020 at 10:00 a.m. in Room 32 of the Yamhill County courthouse.

H. 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 12:27 a.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair CASEY KULLA

Commissioner MARY STARRETT

Commissioner RICHARD L. "RICK" OLSON