

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 July 22, 2021 at 10:00 a.m. in a virtual meeting via Zoom, Commissioners Mary Starrett, Lindsay Berschauer and Casey Kulla being present.

Also present were Justin Hogue, Business Administrator; Christian Boenisch, County Counsel; Todd Sadlo, Senior Assistant County Counsel; Ken Friday, Planning Director; and Carrie Martin, Grants & Special Projects and Keri Hinton, BOC Staff (via Zoom).

Guests via Zoom: Abisha Stone, SEDCOR; Dorie Vickery, Sheridan School District Superintendent; Jackie Lang, Waste Management; Tommy Brooks, Cable Huston, LLP; Garrett Stephenson; Sheila Barnes; Susan Watkins; Thomas Stewart; Daniel Danicic; Mike Connors; Suzy McDo; Susan Karp; Philip Higgins; Marvin Bernards; Beth Rankin; and Madeline Bishop.

Welcome! Due to COVID-19 and physical distancing requirements, attending the meeting is discouraged. The public can view the meeting via the 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 Starrett 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 commissioner’s joint schedule (if needed).

The Commissioner’s reviewed the joint schedule for the week of July 19 – 25. No other county business was discussed.

D. PUBLIC COMMENT: *Due to COVID-19 and physical distancing requirements, anyone wishing to submit general public comment or comments related to a specific agenda item may 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.*

Public comments were received via e-mail regarding item E2 and requesting the resignation of Commissioner Berschauer.

E. 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 –

a. Review/discussion of American Rescue Plan Economic Impact category and the CTEC West proposal. *[Continued from July 15, 2021].*

Superintendent Vickery reviewed the proposal for the financial support for CTEC West. She addressed childcare availability, timeline, and project financials. She noted an industry partnership meeting will be held to seek local industry support. Ms. Vickery stated the seller was not interested in a 60-day extension, but discussion included options to assist Ms. Vickery in obtaining the property. The consensus of the Board was to provide a letter of support to Ms. Vickery to present to the seller conveying commitment to the property acquisition.

b. End of work session

2. a. Review/discussion of a potential consideration of approval of a request to amend the Second Amended and Restated Solid Waste Disposal License Agreement between Yamhill County and Riverbend Landfill Company, Inc., retroactive to July 1, 2021. *[Continued from July 15, 2021].*

Christian Boenisch reviewed the proposed license agreement amendment from Waste Management. Jackie Lang stated the amendment was due to recent landfill limitations which had resulted from the delayed expansion. She said the proposed amendment would provide a reliable revenue stream to the county for county solid waste programs, and economic benefits to the community for the duration of the amended contract. Mr. Boenisch noted an additional change to the agreement to allow Waste Management to deny/accept solid waste at their discretion. Ms. Lang noted that due to unreliable space capacity, Riverbend would no longer accept public drop off. She clarified the proposed reduction of the base fee would decrease the county income due to low intake levels, low staffing and shifting focus on slope structure buildout. Ken Friday stated the Riverbend revenues supported waste disposal programs and if reduced, would eventually impact existing county services. After discussion, the consensus of the Board was to direct staff to continue agreement negotiations with Waste Management.

b. End of work session.

F. DEPARTMENT UPDATES: None.

G. CONSENT AGENDA: Commissioner Kulla moved approval of the consent agenda. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

Minutes

1. a. **B.O. 21-296** - May 6, 2021, Formal/Informal Session;
- b. **B.O. 21-297** - May 13, 2021, Formal/Informal Session;
- c. **B.O. 21-298** - May 20, 2021, Formal/Informal Session; and
- d. **B.O. 21-299** - May 27, 2021, Formal/Informal Session

Contracts & Grants

2. **B.O. 21-300** - Approval of Agreement #169226 between Yamhill County and the Oregon Department of Human Services for the financing of Community Developmental Disabilities Program Services retroactive to July 1, 2021 through June 30, 2023, subject to the final review and approval by county counsel.
3. **B.O. 21-301** - Approval of the annual maintenance and support from Harris Enterprise and Resource Planning for the GEMS program in the amount of \$51,597.61.

Committees

4. **B.O. 21-302** - Approval of the reappointments of Matt Dunckel and Marjorie Ehry to the Planning Commission, each for a four-year term to expire on July 1, 2025.

H. OLD BUSINESS:

1. **B.O. 21-303** - Consideration of approval of the adoption of written findings and conditions of Ordinance 915 and board order in the matter of a Comprehensive Plan Amendment from Very Low Density Residential to Industrial and a Zone Change from VLDR -2.5, Very Low Density Residential to LI, Light Industrial; Planning Docket PAZ-01-21; Tax Lot 3325BD-200; Applicant: Thomas Henry Stewart; and declaring an emergency. *[Continued from July 15, 2021]*

Todd Sadlo read the first reading of Ordinance 915 by title only into the record; hearing no objection, he read the second reading by title only into the record. Commissioner Berschauer moved approval of item H1. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

2. **B.O. 21-304** - Consideration of approval of the adoption of written findings and conditions in the matter of upholding the Planning Director's approval and denying the appeal of Planning Docket # M-01-20/SDR-20-20: Approval of a Wireless Communication Facility as a Utility Facility necessary for public service in an Exclusive Farm Use Zone and approval of Site Design for the facility; 551 SW Hill Road; Tax Lot 4419-2600; Applicant Verizon Wireless; Owner Bruce McKee. *[Continued from July 1, 2021].*

Commissioner Berschauer moved approval of item H2. The motion passed, Commissioners Starrett, Berschauer and Kulla voting aye.

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

1. Consideration of approval to appoint Philip Higgins to the Road Improvement Advisory Committee (RIAC) for a three-year term to expire on July 22, 2024.

Commissioner Kulla moved approval of item I1. The motion failed, Commissioner Kulla voting aye, Commissioners Starrett and Berschauer voting nay.

2. **B.O. 21-305** - Consideration of approval of Grant Agreement #33452 between Yamhill County and the State of Oregon for the replacement of the Deer Creek Park Road bridge

(#11501) in the amount of \$1,247,600, effective upon execution with a maximum duration of 10 years.

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

3. **B.O. 21-306** - Consideration of extending the COVID-19 Paid Administrative Leave Policy (B.O. 20-91) retroactive to July 15, 2021 through August 14, 2021.

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

4. **B.O. 21-307** - Consideration of acceptance of a Stormwater Easement from Fox Farm Resort, to satisfy a Condition of Approval in Planning Dockets #SDR-13-19 and SDR-07-20.

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

5. **B.O. 21-308** - Consideration of acceptance of a Right-of-Way deed from Fox Farm Resort, to satisfy a Condition of Approval in Planning Dockets # SDR-13-19 and SDR-07-20.

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

6. **B.O. 21-309** - Consideration to authorize a check request to Neste Live for the 2021 Yamhill County Fair and Rodeo entertainment.

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

J. PUBLIC HEARINGS: None.

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>

Following Commissioner announcements, the meeting adjourned at 11:32 a.m.

Carolina Rook
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair MARY STARRETT

Commissioner LINDSAY BERSCHAUER

Commissioner CASEY KULLA