

CITY OF NEWBERG / YAMHILL COUNTY
NEWBERG URBAN AREA MANAGEMENT COMMISSION MEETING

NUAMC Meeting Minutes

Wednesday, August 11, 2021, 7:00 PM

(This is for historical purposes as meetings are permanent retention documents and this will mark this period in our collective history)



I. CALL TO ORDER

CDD Rux called the meeting to order at 7:03pm, introduced himself as the Newberg Community Development Director. He welcomed all the new Commissioners to the Newberg Urban Area Management Commission (NUAMC). He noted the last meeting was in 2010 and in coordination with Stephanie Armstrong of Yamhill County there are some things that are coming forward that would require NUAMC consideration. He noted they are starting with an orientation first because it has been so long, and members are all new.

II. ROLL CALL

Members Present:	Kit Johnston	Maryl Kunkel
	Jeff Musall	Alan Halstead
	Mary Starrett	Rick Rogers

Newberg Staff Present: Doug Rux, Community Development Director

Yamhill County Staff Present: Stephanie Armstrong

III. APPROVAL OF MINUTES

None

IV. COMMUNICATIONS FROM THE FLOOR (5 minutes maximum per person) - For items not listed on the agenda

None

V. ORIENTATION

1. Introductions:

Member Maryl Kunkel noted she is a City of Newberg resident and Mom. She is active in sustainability groups in the community and is the Newberg citizen representative on this Commission.

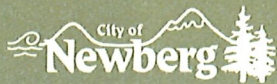
Member Jeff Musall noted he is the Planning Commission Representative. He has been a City of Newberg resident for 15 years; he does taxes and is interested in what will be learned in this commission.

Member Alan Halstead noted he was a Newberg Planning Commissioner in the mid 70's and also the Newberg City Council plus other offices. He has been on the Yamhill County Planning Commission since the mid 90's. He is one of the original members of NUAMC when it was originated.

Member Kit Johnston noted he is a farmer in Dayton and has recently joined the Yamhill County Planning Commission.

Member Rick Rogers noted he is the City of Newberg Mayor and has been on this Commission for years which has never met. He is a 22-year Newberg resident.

Member Mary Starrett, Yamhill County Commissioner noted this is in her portfolio of liaison duties and thanked



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everyone on the Commission. She also noted she is a 30-year Newberg resident.

Stephanie Armstrong noted she is the Yamhill County Senior Planner and will be their staff representative on this Commission.

Bobbie Morgan noted she is from the City of Newberg Community Development Department as Office Assistant and will be taking minutes for these meetings.

Sue Ryan, City Recorder for the City of Newberg noted she is the Zoom Meeting Host.

2. Election of Chair and Vice Chair:

CDD Rux opened up for nominations for the Chair and Vice Chair positions.

MOTION #1: Member Kunkel and Member Halstead moved to nominate Member Musall as Chair, and Motion carried (6 Yes/0 No).

MOTION #2: Member Kunkel and Member Halstead moved to nominate Member Johnston for Vice Chair, and Motion carried (6 Yes/0 No).

Chair Musall took over as Chair position for the meeting continuing with the agenda.

3. Review of Rules to Govern the Conduct of Business of the Newberg Urban Area Management Commission:

CDD Rux noted the next agenda item is to talk about the Bylaws. He noted as Commissioner Starrett mentioned NUAMC was created in 1979 back at the beginning of Oregon's land use system. With Senate Bill 100, Counties and Cities went through the process. There were intergovernmental agreements entered into between the Cities and Counties and brought forward before the City Council and the County Board of Commissioners, which created the intergovernmental agreement for the provision of providing services for lands that were outside of the City limits but within the Urban Growth Boundary and for lands that are outside of the Urban Growth Boundary within the area of influence. These Bylaws were created in 1980 and were ratified by both the Yamhill County Board of Commissioners and the Newberg City Council. He noted the purpose of this Commission is a lot like a Planning Commission and the whole purpose is to deal with Urban Growth Boundaries.

CDD Rux noted there have been a variety of NUAMC meetings that have occurred over the years. There was a provision in the Bylaws that outlined the Commission membership which is why they have Commissioner Starrett. Newberg City Council appointed a representative from City Council which is Mayor Rogers and also appointed Planning Commission representative Jeff Musall. He noted Stephanie Armstrong of Yamhill County, had to do this similar process representing Yamhill County Planning Commission. Member of the Newberg-Dundee PAC designated by the Board of County Commissioners is Member Halstead and/or Member Johnston. He noted Member Kunkel is filling the citizen's committee position which doesn't have a Citizen Involvement Advisory Committee anymore. He also noted there are alternates to some of the positions. For the City of Newberg Mayor Rogers, Denise Bacon is alternate for City Council. For Member Musall of the Planning Commission, (PC) alternate is PC Kriss Wright.

CDD Rux noted there is a requirement in the Bylaws that the primary position has to notify the alternate to be able to attend a particular meeting. He mentioned they need a Member-at-large position which does not have an alternate seat and will be discussed later on the agenda.

CDD Rux noted like many particular bodies that are appointed there are rules about attendance at the meetings. The Bylaws indicate that if a member misses two consecutive meetings they will be excused or dismissed from this Commission and the process of refilling that seat.

CDD Rux continued with the Bylaw's, duties and responsibilities. He noted they are primarily talking about the Urban Growth Boundary expansion. This Commission over its existence has reviewed on three different occasions



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Urban Reserve Area applications in 2006 and 2007. In the Bylaws it lays out things that they need to be adhered to, such as following the LCDC criteria and the Statewide Planning Goals. They also will look at issues about housing, employment, economic provisions and their orderly aspect. They look at the efficiency of land uses, environmental energy economic and social consequences and retention of agricultural lands etc. These are in both the County and City Comprehensive Plans. He noted it's very specific in the Bylaws about Class I being the highest priority for retention and Class VI as a priority when considering the Urban Growth Boundary expansions compatibility issues. He noted they need to look back at the Yamhill County Comprehensive Plan and the Newberg Comprehensive Plan as they go through evaluation on the cases that come before the Commission.

CDD Rux noted Article V is dealing with organization noting the election of Chair and Vice Chair has already been done. The City will act as the recording secretary which says the Planning Director, but we no longer have a Planning Director in Newberg so Bobbie Morgan of the Newberg Community Development Department will be the minute taker. Previous minutes from the October 2010 meeting will need to be located for the next meeting. He thanked Stephanie Armstrong, staff from Yamhill County, for stepping up and noted the Newberg Community Development Director will be representing staff from Newberg.

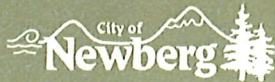
CDD Rux noted the next item on the list is about UGB Amendments and the filing process. Applications are received and submitted in different ways depending on the situation. They are either submitted to Yamhill County or to the City and in some cases, they are submitted to both. It will be coordinated on how that process will occur. When you see an application on your docket he will coordinate with Yamhill County on how the reports will get prepared and presented to the Commission. It is the City's obligation for doing the noticing. There are either statutory, administrative rule requirements on noticing. The County and the City have noticing requirements on the distance. The notice of public hearings and information for the Bylaws will be shared with the County Planning Department.

CDD Rux noted the next item in the Bylaws is talking about the meetings and how they are conducted and held. Following Oregon Law, they are open public meetings, very prescriptive when the meetings will be held in the Bylaws. It says the 4th Tuesday of January, April, July and October at 7:30pm. There are requirements that for applications that get filed either before the County and, or the City or jointly, is that if an application is not received that they are supposed to notify the Commission 45 days that we do or do not or are going to hold one of those meetings on those months that have been identified in the Bylaws. It is important to note that some things come off schedule, and some applications are either bound by Oregon Revised Statutes for the City or the County where we will meet or may need to not meet on the dates that are identified in the Bylaws. It will be coordinated with the Commission to have a quorum of the Commission and we need five. It is important for those who have an alternate and not able to attend that you let your alternate know and let him or Stephanie know so that it is ensured that there is a quorum for a meeting.

CDD Rux continued with the procedural items which is driven by Robert's Rules of Order as defined in the Bylaws. The Chair is the presiding officer and starts with the roll call, approval of minutes, and a report of the disposition of prior actions that this Commission may have taken. The Commission does not make final decisions, you make recommendations to the City Council and it goes onto the Yamhill County Board of Commissioners to review. After particular hearings on any items, then there's an adjournment of the meetings.

CDD Rux noted the next piece is following procedures of commencement of hearings, abstentions and objections. Then staff will provide a report and will coordinate with County staff on the presentation of the reports. Then you have proponents and opponents and have the opportunity to ask them questions. There is the opportunity for public agency comments and onto the rebuttal evidence component. Next is a staff recommendation, and you move into your deliberation and onto the vote which will be a roll call vote and each member gets one vote.

CDD Rux noted the issue in the Bylaws regarding substantial financial interest on a docket item. That is referring to ex-parte contact and bias. When the packet is sent out it is listed on the agenda so the Commission members can adhere to the law. If one wishes to, they abstain from a particular vote relating to a conflict of interest as listed out in your Bylaws. The presiding officers Chair and Vice Chair shall vote on actions that come before this Commission. Then there is the requirement for someone to call for the vote and when that happens the Chair will go through that process.



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CDD Rux noted he mentioned the issue about Robert's Rules of Order and that is what they follow other than what is further described in the Bylaws. There are the amendments to the Bylaws. He had a conversation with Stephanie about this and there is some verbiage in this set of Bylaws that are outdated, and we can propose to amend the Bylaws. He noted they would have to give the Commission a minimum of 10 days' notice. One of the things that he would like to put on the table is that they would like to propose some Amendments to the Bylaws and modernize them. That would take some coordination between the City and County to be able to do that. The Bylaws would come back in front of this Commission for review, comments and then would coordinate with the County staff in order to get in front of both the City Council and the County Board of Commissioners.

CDD Rux asked if there were any questions on the Bylaws.

Chair Musall noted the format of the docket is similar to Planning Commission Quasi-Judicial hearings.

CDD Rux noted yes, they are. He noted most all the members present have been through Quasi-Judicial proceedings. The one that has not is Member Kunkel, but she has seen them through City Council meetings when going through those particular procedures.

CDD Rux noted the agendas will be sent out one week prior to the meetings and that in the packet sent out for this meeting the Bylaws were included.

CDD Rux noted the City staff is willing to draft up clarifications to the Bylaws and coordinate with County staff to review. He noted he has had conversations with Newberg's legal counsel about going through and creating an initial version, sharing with the County and bringing it back to the Commission for review and feedback.

4. Selection of Member-at-large position:

CDD Rux went over the Member-at-large position, which the Bylaws say it should be chosen by the NAUMC members and ratified by the City Council and County Board of Commission. This member shall reside either within the City of Newberg Urban Growth Boundary or the City's area of influence. The area of influence is one mile outside of the Urban Growth Boundary.

Mayor Rogers noted having not spoken to anyone on nominating them without their knowledge is not a good idea.

Chair Musall agreed.

Stephanie Armstrong asked if this is something that can wait until the next meeting to get some people that might be interested. They could do some reaching out to see if there is some interest. She asked how you ask people to be involved in something that we haven't really gotten a real grasp on ourselves.

CDD Rux replied yes you can, you do have the opportunity now to open up the discussion. He noted they could come back in the October 26, 2021, 7:00pm meeting which is the fourth Tuesday of October and this discussion about a nomination of the Member-at-large could continue. He noted that is an option and that would give you all some time to consider and have some conversations with people and see if they are interested.

Chair Musall noted if they continued, they would want to have it in one meeting. He noted they could bring the person on board and ready to be part of that meeting as well, correct?

CDD Rux noted the process is to go through City Council and the County Board of Commissioners. He suggests that if after conversations with people you find someone interested send him their names and contact information in advance. He would share with Stephanie Armstrong and come back on October 26 to have the discussion at that meeting. Also you could invite those you have talked to to attend the meeting and listen to the conversation if interested. Then if this Commission wants to talk with any of those potential members, then we would have Sue promote them and you can have a conversation with them at that meeting.



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MOTION: Member Halstead and Member Kunkel made a Motion to have selection of the Member-at-large position delayed until the following meeting, October 26, 2021, 7:00 pm, and motion carried (6 Yes / 0 No).

VI. ITEMS FROM STAFF

CDD Rux noted the next meeting, will be on Tuesday October 26, 2021, 7:00pm., based on their discussion. He will have the agenda out to NUAMC members one week in advance of the meeting. He noted depending on how things progress he might bring back some Amendments to the Bylaws for consideration.

Member Johnston asked if on the agenda will there be a list of the nominees for the Member-at-large that everyone comes up with so they can have a few days to go through.

CDD Rux noted yes and if you have names to consider please email to him which will be very helpful, and he will have it in the October meeting packet.

Member Rogers asked if there was a time commitment on soliciting for a would-be Commissioner.

CDD Rux noted they do have an application that has been submitted for an Urban Reserve expansion. The Newberg City Council in a recent meeting has identified and directed staff to initiate an Urban Growth Boundary Expansion. There are some steps that the City of Newberg staff have to take first, which is to incorporate the Housing Needs Analysis, the Economic Opportunities Analysis, and the Public and Semi-Public Land Analysis into the Comprehensive Plan. Staff will start that work in October before formally notifying the Department of Land Conservation and Development that Newberg will be initiating a UGB expansion. Over the next six months NUAMC may have two or three meetings to do some briefings of the process and to keep the Commission informed before getting the final Report.

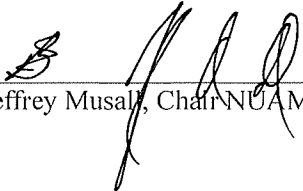
VII. ITEMS FROM COMMISSIONERS

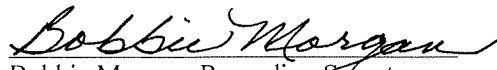
Chair Musall added it sounds like there will be some interesting items to help the Community and County to deal with growth in the coming years.

VIII. ADJOURNMENT

Chair Musall adjourned the August 11, 2021, NUAMC meeting at 7:40pm

**APPROVED BY THE CITY OF NEWBERG/YAMHILL COUNTY, NEWBERG URBAN AREA
MANAGEMENT COMMISSION (NUAMC) this October 26, 2021**


Jeffrey Musall, Chair NUAMC


Bobbie Morgan, Recording Secretary