

CHEHALEM PARK AND RECREATION DISTRICT  
BOARD MEETING  
CPRD Administration Office  
125 S. Elliott Road  
Newberg, OR 97132  
July 24, 2023 - Reconvening of July 11  
**MINUTES**

I. Matt Smith called the meeting to order at 6:00 p.m.

II. Roll Call

Board members:

Matt Smith, President

Jason Fields, VP

Gayle Bizeau, Secretary-Treasurer

Jim McMaster

Lisa Rogers

CPRD Staff:

Don Clements, Superintendent

Richard Cornwell, IT Specialist

Casey Creighton, Assistant Superintendent

Julie Petersen, Special Services Supervisor/Recreation Supervisor

Kat Ricker, Public Information Director

Heidi Smith, Administrative Coordinator (remote)

John Bridges, legal counsel to CPRD

Margaret Gander-Vo, special legal counsel to CPRD (special)

Public:

Matt Dolphin

Max & Sam Dolphin

Renee Dolphin

Mark Hogard

Laura Weber

Paul Weber

Borbee Williams

Tom Woodward

Kishore Pathiac

Maud Butterfield

Karen Toohy

Bubb

Ed Fredenburg

Barb Fredenburg

Peter Siderius

Martin Peters  
Beatrice Falla  
Larry Trow  
Andrew Hughes  
Jessica Hughes  
Susan Delventhal  
Jill Bilka, Dundee Parks Advisory Group  
Rodney Lyster  
Jack and Diane Trenhalle  
Marty Brown  
Craig Markham  
Jennifer Erlawson  
Suzanne Meenachan  
Gary Bliss  
Tom Malina  
Charles Blair  
Wade Witherspoon, GFU  
Penny Rader  
Logan Carnahan  
Alexis Iglesias  
Gran Family  
Casey Banks  
Ellen Couch  
Percey Brandon  
Miranda Yeareaus  
Daniel Roberts, The Giving Tree podcast  
Jane Burla  
Robert Simpson Tristan Platt  
Derek Carmon  
Danna Kemp  
Isabelle Rutland  
Ryann Reinhofer  
Tammy Secrist  
Steve Paulson  
Donna Paulson  
Allen Holstein  
Gary Allen, Newberg Graphic

III. (VI: E from 7/11/23 agenda) Topic: CPRD's pending appeal to Land Use Board of Appeals regarding Yamhill County Commissioners' denial of CPRD's application to construct a bridge over Chehalem Creek within Ewing Young Park, connecting portions of the property owned by City of Newberg and Yamhill County.  
Discussion: Superintendent Don Clements spoke, providing background on this topic.

Lisa Rogers asked since the Board had voted on July 11, why are we here? Matt Smith said the Board agreed to continue deliberation on this topic, and staff advised and arranged to have legal counsel available.

Legal Counsel - John Bridges spoke and explained four options: one, proceed with LUBA appeal; two, request enforcement order from DLCD; three, dismiss appeal and reapply at a later date; four, pursue annexation into City of Newberg. Margaret Gander-Vo gave additional depth of legalities explanation on the four options and her perspective on each.

Discussion: When asked for clarification on the second option, Gander-Vo explained that an enforcement order would seek consistency in how the County applies this code.

Jason Fields asked if there was anything egregious that she could point to. Gander-Vo said not in a way to indicate that it was vindictive, which is more relevant to the standard, but that there appear to be clear inconsistencies, which are a type of egregious behavior, and went into more detail on legal aspects, saying overall, it was not as cut-and-dry as it could be.

Jim McMaster asked about the possible future effect on proposed Newberg-Dundee Bypass Trail, which he reiterated that he favors. She responded in some detail to indicate that this Case Law would come into play again at some point, and could in that project.

Rogers asked, if we do not choose one of these four, are we done? Bridges said yes, but you could reapply for an appeal at a later time.

Fields asked about seeking a zoning change (from agriculture to parks and recreation); Bridges explained what that would entail, and mentioned that access is needed in order to serve agricultural purposes.

Clements recommended Board dismiss appeal and seek to appeal again in one year, if CPRD cannot work out issues with County and/or rezone. Gander-Vo said CPRD would be able to build a better application at a later time, because of (additional argument related to a precedent) that CPRD could include. Rogers pressed for likelihood of reversal; Gander-Vo said the chance of reversal would be better in a year from now--if CPRD withdrew and reapplied for an appeal--for County to see that they need to amend code in order to comply with state law, adding that this was risk analysis. Jim McMaster asked whether and if so how, public could appeal. Fields asked if she was aware of any case in the County where a denied bridge was approved in AF-10; she said she was not but had not looked, and Bridges said that he was indeed aware of more intensive transportation features such passage over culverts at wineries and B&Bs. Creighton clarified in response to questioning by

Gayle Bizeau that tractors and maintenance trucks would use this bridge but not heavy emergency response vehicles.

Smith clarified that without an appeal, CPRD would have the option to meet and try to work this out with County commissioners. Smith said his desire to annex previously was based on idea that both portions of the park should be zoned the same, which made sense logically, but not procedurally, he now realized. He advocated taking the year to try to work out consistent zoning with the County.

Discussion continued on financial effects of different options.

Fields asked for a cost estimate for construction of this bridge. Casey Creighton gave cost estimates that staff had gathered in 2022: between \$215,000 to \$254,000 for construction. Creighton added that to date, CPRD has spent \$92,682 on engineering and design.

Rogers said if the intention is to work with the County for solutions to resolve this and not punt this down the road, then she is in favor of it, because a lot of people want this bridge. She emphasized that her motion was (intended) to make sure that we are seriously going to sit down and talk with County to try in earnest to access our property to benefit this community and the people who live here. She emphasized that if that did not work, the next action would be to reapply for an appeal in one year.

Bizeau said she was in favor of a bridge.

**Motion: Lisa Rogers made a motion to take Option 3, of removing the existing appeal, and work with County to get the bridge across.**

**Moved Lisa Rogers  
Second Jason Fields  
Passed unanimously**

Jim McMaster explained what had happened in the July 11th meeting, that staff had given to McMaster (then vice president) an item to add to the agenda (LUBA appeal), and, he said, the reason that the staff had given it to him at that time was due to the two-week extension that the County had granted which had to be met, and he had given it to (new president) Smith, and we had extended the meeting.

VIII. Bizeau and Rogers both made motions to adjourn. Meeting adjourned at 7:09 p.m.

Respectfully Submitted,  
Kat Ricker, Public Information Director