

POLK COUNTY BOARD OF COMMISSIONERS
TUESDAY MEETING MINUTES
August 4, 2015

1. At 9:00 a.m., Commissioner Ainsworth declared the Tuesday meeting of the Polk County Board of Commissioners in session. Commissioner Pope was present, Commissioner Wheeler was excused.
2. **MINUTES** **COMMISSIONER POPE MOVED, COMMISSIONER AINSWORTH SECONDED TO APPROVE THE MINUTES OF JULY 28, 2015.**

MOTION PASSED BY A UNANIMOUS VOTE OF THE QUORUM
3. **PLANNING FILE LLA 15-16** – Morgan Smith, County Counsel, informed the Board that the appeal of this decision was dropped this morning.
4. **HB2546 DISCUSSION** – Matthew Stevenson, Tobacco Prevention Coordinator explained that currently there are no federal rules in place to regulate inhalant delivery systems (e-vaping, e-cigarettes, etc.). So recently, the legislature passed HB2546, amending the indoor clean air act. Effective 7/1/15, inhalant delivery systems are required to be child proof and are prohibited from being sold to minors. Because the State does not require tobacco retail licenses, they have no way of notifying the businesses affected by this new law. Polk County has developed its own list of tobacco retailers that Matthew would like to notify via an educational letter. The Commissioners expressed concern with putting the letter on County letterhead since the State is the enforcement agency for this law; however, the Board still approved the letter to be sent out to these Polk County businesses.
5. **MEASURE 91 DISCUSSION** – Morgan Smith reminded the Board of the current options they have for recreational marijuana within the County. If the Board chooses to amend the zoning ordinances, then that decision will need to be made by the end of the month to allow staff necessary time to complete the land use process by the end of the year.
6. **NON-LISTED ITEMS** (Pursuant to ORS 192.640, the Board of Commissioners considered the below identified non-listed items.)

- a. **WATER RESOURCES DISCUSSION** – Raquelle Rancier and Joel Plahn (Watermaster) with the Oregon Water Resources Department provided information on the drought conditions across the state and locally. The precipitation from January through June was much lower than normal, creating below normal stream flows. This, coupled with the warmest temperatures on record, has created drought conditions across the State of Oregon. Each county has the option to declare a drought emergency (cities cannot). The Board would just have to work with the Office of Emergency Management through that process. The benefits of the County declaring an emergency drought is the awareness it raises, and coordination and access to drought tools.

Raquelle and Joel explained that water rights access is based on the date that the water rights were granted. In stream water rights for biologicals (fish) are also based on date of access granted. In periods of drought, senior water rights holders are given priority access. On Rickreall Creek, the Department of Water Resources has already issued 50 shut off notices to junior water rights holders. The Luckiamute River is also extremely low. The flow is currently 10 cubic feet per second at the mouth, at this time last year it was 41 cubic feet per second. The department is sending out 77 shut off notices this week to junior water rights holders on the Luckiamute. Fines are issued for non-compliance.

The City of Dallas reservoir tributary flows are 3x lower than this time last year. Dallas released a press release last week encouraging voluntary conservation by municipal users.

- b. **BIENNIAL COMMUNITY CORRECTIONS PLAN** – Marty Silbernagel, Juvenile & Community Corrections Director, presented the biennial Community Corrections Report. The report was approved by the Local Public Safety Coordinating Council (LPSCC) yesterday. Minor changes were made to the budget, but no changes to the programs were made since the last biennial plan. The areas of focus for the upcoming biennium will be on Drug Court and transition and re-entry programs.

BY CONSENSUS, THE BOARD APPROVED THE BIENNIAL COMMUNITY CORRECTIONS PLAN AS PRESENTED.

- c. **HEALTH CARE FLEXIBLE SPENDING ACCOUNT** – Greg Hansen, Administrative Officer, requested the Board sign a Health Care Flexible Spending Account policy amendment stating that the County does not discriminate and all eligible employees are offered the opportunity to participate in the program.
- d. **PUBLIC WORKS UPDATE** – Greg Hansen reported that Chip Seals started yesterday and 9 miles were completed. However, this morning, three of the four rollers are broke down so less progress is expected. ODOT completed paving on Hwy 99 from Rickreall Rd. to Orrs Corner last night.

Commissioner Ainsworth adjourned the meeting at 10:40 am.

Minutes: Heather Merrill
Approved: August 18, 2015