

## **POLK COUNTY BOARD OF COMMISSIONERS**

**MINUTES September 12, 2018**

### **1. CALL TO ORDER & ATTENDANCE**

At 9:00 a.m., Commissioner Ainsworth declared the meeting of the Polk County Board of Commissioners to be in session. Commissioner Wheeler and Commissioner Pope were present.

Staff present:           Morgan Smith, County Counsel  
                              Matt Hawkins, Personnel

### **2. ANNOUNCEMENTS**

Regular meetings of the Board of Commissioners are held on Tuesday and Wednesday each week. The meetings are held in the Courthouse Conference Room, 850 Main Street, Dallas, Oregon at 9:00 a.m. and is conducted according to a prepared agenda that lists the principal subjects anticipated to be considered. Pursuant to ORS 192.640, the Board may consider and take action on subjects that are not listed on the agenda.

Department Head/staff meetings with the Board of Commissioners are held on Monday, Thursday, and Friday. The meetings are held in the Board of Commissioners' Office Conference Room and are conducted between 9:00 a.m. and 5:00 p.m. The principal subjects anticipated to be considered are on-going, upcoming, and new matters bearing on County operations. Pursuant to ORS 192.640, the Board of Commissioners may consider and take action on subjects not listed within this announcement.

The Board of Trustees for the Grand Ronde Sanitary District will be holding a meeting on September 19<sup>th</sup>, 2018 at 9:15 a.m. in the Board of Commissioners' Office Conference Room, 850 Main Street, Dallas OR 97338.

### **3. COMMENTS (FOR ITEMS NOT ON THIS AGENDA) - None**

### **4. APPROVAL OF AGENDA**

**MOTION: COMMISSIONER WHEELER MOVED, COMMISSIONER POPE SECONDED, TO APPROVE THE AGENDA.**

**MOTION PASSED UNANIMOUSLY.**

### **5. APPROVAL OF CONSENT CALENDAR**

**MOTION: COMMISSIONER POPE MOVED, COMMISSIONER WHEELER SECONDED, TO APPROVE THE CONSENT CALENDAR.**

**MOTION PASSED UNANIMOUSLY.**

### **6. APPROVAL OF MINUTES OF BOARD MEETING SEPTEMBER 5, 2018**

**MOTION: COMMISSIONER WHEELER MOVED, COMMISSIONER POPE SECONDED, TO APPROVE THE MINUTES OF SEPTEMBER 5, 2018.**

**MOTION PASSED UNANIMOUSLY.**

**7. LENGTH OF SERVICE AWARDS** – Matt Hawkins, Personnel

The following employee(s) were recognized for their length of service to the County:

Brent Demoe – 10 years  
Doug Akin – 10 years  
Taina Sturdivant – 30 years

**8. PUBLIC HEARING**

Morgan Smith, County Counsel informed the Board that the Public Hearing today was to discuss cost apportionment for Creekside Farms after the County abated the road hazard that was created by the landowner when he installed a drainage pipe that was not sufficient to our engineers calculations. Todd Whitaker, Director of Public Works stated that the landowner, Paul Kuney, was told that the pipe installed was a road hazard and was told it needed to be fixed, and Mr. Kuney chose to appeal the need to abate the hazard. They were in the process of finding a resolution when the landowner installed the drainage system based on the calculations of Aspen Engineering. Todd stated that Polk County had a team of engineers evaluate the site and found it to be a hazard and needed to be abated. Todd stated that Public Works chose the abatement that would be the least disruptive to the farm.

Paul Kuney, 4570 SE Lafayette St, Dayton OR 97114, stated that he was there at the meeting to ask that the County not make him responsible for the cost incurred by the abatement. Mr. Kuney told the Board that the engineer he hired asked what the requirements were and was told it had to meet the 25 year event requirement. He also stated that after the neighbor called and said the road was flooding he went out and it was not. He stated that this was within one hour of the report it was flooding. He stated that his engineer did the calculation and felt it did meet the 25 year event requirement and he has provided the Board with a copy of the narrative from his lawyer and engineer report.

Commissioner Pope asked Mr. Kuney if he was aware that the engineer he used was no longer a licensed engineer, Mr. Kuney said he was aware but that he had 30 years of experience. Commissioner Pope told Mr. Kuney that the County has record of how many times they reached out to try and come to an agreement with the engineer he hired but never heard back. Commissioner Pope asks Paul to acknowledge that it would have been much cheaper for Mr. Kuney if he had followed the process and worked with the County instead of installing the drainage system without an agreement.

Hearing no further testimony, Commissioner Ainsworth closed the public hearing.

**MOTION: COMMISSIONER POPE MOVED, COMMISSIONER WHEELER SECONDED, TO  
ACCEPT STAFF RECCOMENDATION TO HOLD CREEKSIDE FARMS  
RESPONSIBLE FOR THE COST OF THE DEJONG ROAD HAZARD ABATEMENT.**

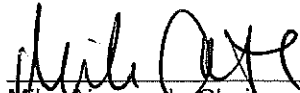
**MOTION PASSED UNANIMOUSLY.**

The following items were approved by Motion under **5. APPROVAL OF CONSENT CALENDAR:**

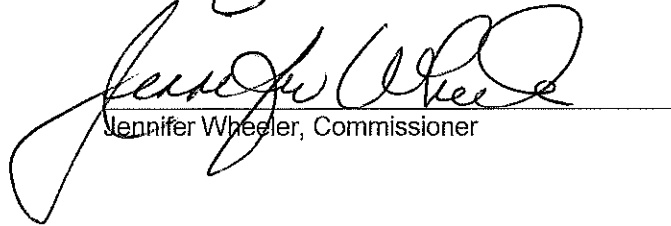
**(a) BUSINESS DEVELOPMENT GRANT – Dallas Youth Garden**

Approve the Dallas Youth Garden Intern project application to select 9 student interns for summer work and provide adult mentors/supervision, to teach them skills required to succeed in any job.

POLK COUNTY BOARD OF COMMISSIONERS

  
Mike Ainsworth, Chair

  
Craig Pope, Commissioner

  
Jennifer Wheeler, Commissioner

Minutes: Ciera Atha  
Approved: September 19, 2018

