

**POLK COUNTY BOARD OF COMMISSIONERS**  
**MINUTES February 6, 2019**

**1. CALL TO ORDER & ATTENDANCE**

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

Staff present:           Greg Hansen, Administrative Officer  
                              Morgan Smith, County Counsel  
                              Matt Hawkins, Administrative Services Director

**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 Commissioners will not be having a Board meeting on Tuesday February 12<sup>th</sup> or Wednesday February 13<sup>th</sup> due to a lack of quorum.

The Board of Commissioners will be holding a Public Hearing on February 20, 2019 at 9:00 a.m. on the legalization of a portion of Black Rock Road. This hearing will take place in the Polk County Courthouse Conference Room, located at 850 Main Street, Dallas, Oregon.

The Board of Commissioners will be holding public hearing on February 27, 2019 at 9:00 a.m. to consider public testimony on Legislative Amendment 18-01, proposed updates to the Polk County Subdivision and Partition Ordinance Chapter 91, and to the Polk County Zoning Ordinance Chapters 136, 138, and 177. This hearing will take place in the Polk County Courthouse Conference room, located at 850 Main Street, Dallas, Oregon.

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

**4. APPROVAL OF AGENDA**

**MOTION: COMMISSIONER AINSWORTH MOVED, COMMISSIONER MORDHORST  
                              SECONDED, TO APPROVE THE AGENDA.**

**MOTION PASSED UNANIMOUSLY.**

**5. APPROVAL OF MINUTES OF BOARD MEETING OF JANUARY 30, 2019**

**MOTION: COMMISSIONER AINSWORTH MOVED, COMMISSIONER MORDHORST  
                              SECONDED, TO APPROVE THE MINUTES OF JANUARY 30, 2019.**

**MOTION PASSED UNANIMOUSLY.**

**6. ASSESSOR APPOINTMENT DISCUSSION** – Morgan Smith, County Counsel, explained that on December 28, 2019 Polk County Assessor Douglas Schmidt announced the retirement from his position effective February 28, 2019. Today the Board has the opportunity to discuss the process they would like to follow to appoint a replacement Assessor. Greg Hansen, Administrative Officer, stated that they have not opened the position for applications but the Board has the option to do so. He stated that they have two candidates that are currently working in the Polk County Assessor's Office and one candidate externally that has expressed an interest. The Board agreed unanimously that they would like to keep this as an internal opening. Commissioner Ainsworth stated that he believes that Mr. Schmidt has run the office successfully for a number of years and he believes that his recommendation to appoint Valerie Patoine is the right choice. Commissioner Mordhorst stated that after speaking to Mr. Schmidt and Ms. Patoine that he agrees she is the right choice for the Assessor position. Commissioner Pope stated that he agrees and would like to accept Mr. Schmidt's recommendation for his replacement.

**MOTION: COMMISSIONER AINSWORTH MOVED, COMMISSIONER POPE SECONDED, TO ADOPT ORDER NO. 19-03, IN THE MATTER OF APPOINTING VALERIE PATOINE TO THE OFFICE OF POLK CUNTY ASSESSOR EFFECTIVE MARCH 1, 2019.**

**MOTION PASSED UNANIMOUSLY.**

**7. LEGISLATIVE UPDATES** – Aaron Felton, District Attorney, updated the Board on some of the Legislature that could possibly affect Polk County and/or the DA's Office. There is a Bill relating to benefit-cost analyses for changes to criminal law statutes. It directs Oregon Criminal Justice Commission to prepare benefit-cost analyses for legislative measures. Another Bill relating to unauthorized use of a vehicle. It is currently very difficult to prosecute for unauthorized use of a motor vehicle because of a change in state law that essentially said that carrying tools associated with car break-ins or even operating a car with the wrong key was not enough evidence to prove that somebody sitting in a stolen car knew it was stolen. This Bill would close that loophole. Mr. Felton discussed another Bill that supports Oregon testing blood and Urine as evidence of DUII. Oregon is one of the only states that are not using blood to test for drugs. Oregon has been relying on a Grant to fund this testing and it expired in October 2018.

Mr. Felton stated that current case law limits the use of interpreted statements in court. This means that the use of otherwise admissible statements made by either the defendant or the victim of a crime who does not speak English may be prohibited because it was originally obtained by the use of an interpreter. He touched base on some other Bills including ones that would make audio recordings admissible in court, and well as one that would help clarify that the crime of endangering welfare of a minor includes exposure to unlawful controlled substances.

**8. NEW JOB SPECIFICATION AND WAGE** – Matt Hawkins, Business Services Administrator, recommended the Board of Commissioners approve the new job specification for the position of Lead Behavioral Health Licensed Practical Nurse. This position will be used within Behavioral Health to assist the Program Manager with overseeing the Licensed Practical Nurses and assigned programs. The Board agrees unanimously to approve this new job specification.

At 09:57 a.m. Commissioner Pope asked if there was a need for executive session. Staff answered that there was not and the meeting was adjourned.

**POLK COUNTY BOARD OF COMMISSIONERS**

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Craig Pope, Chair

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Mike Ainsworth, Commissioner

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Lyle Mordhorst, Commissioner

Minutes: Ciera Atha  
Approved: January February 20, 2019