

**POLK COUNTY BOARD OF COMMISSIONERS**  
**MINUTES March 25, 2020**

**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 Mordhorst and Commissioner Pope were present.

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

**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.

Effective immediately the Polk County offices will be closed to the general public. A majority of county services will be available by appointment only or via telephone and electronic means. Those department contact numbers are listed on the county website.

Polk County Budget Hearings will be held Tuesday, April 7 through Thursday, April 9, 2020 from 9:00 a.m. to 5:00 p.m. in the Courthouse conference room.

There will be no Board meetings Tuesday, April 7 or Wednesday, April 8, 2020 due to Budget Hearings.

**3. COMMENTS (FOR ITEMS NOT ON THIS AGENDA)**

Greg Hansen, Administrative Officer, recommended that they move the Budget Hearings that are scheduled for April 7<sup>th</sup> through the 9<sup>th</sup> two weeks out to April 21<sup>st</sup> through the 23<sup>rd</sup>. We have some Budget Committee members that are in the high risk group. Also due to this COVID-19 issue some details in the budget may need to be revised.

**BY CONSENSUS, THE BOARD APPROVED STAFF RECOMMENDATION TO RESCHEDULE BUDGET HEARINGS TO APRIL 21, 2020 THROUGH APRIL 23, 2020.**

**4. APPROVAL OF AGENDA**

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

**MOTION PASSED UNANIMOUSLY.**

**5. APPROVAL OF MINUTES OF BOARD MEETING OF MARCH 18, 2020**

**MOTION: COMMISSIONER POPE MOVED, COMMISSIONER MORDHORST SECONDED, TO APPROVE THE MINUTES OF MARCH 18, 2020.**

**MOTION PASSED UNANIMOUSLY.**

**6. PUBLIC HEARING – COMMUNITY DEVELOPMENT**

At 9:02 a.m. Commissioner Ainsworth opened the public hearing. Sidney Mulder, Planning Supervisor, explained that today's public hearing is regarding zoning ordinance legislative amendment 17-03 which includes proposed amendments to four chapters within the Polk County Zoning Ordinance. The amendments would implement criteria found in state law that pertains to wineries, cider businesses, and farm breweries. The winery statute has

been applicable since 1989 but there have been several revisions. Cider business standards became law in 2017 and farm breweries just recently became law this last January 1, 2020. The standards in state law that apply are to the exclusive farm use zone, the farm forest, and the farm forest overlay zone but they are not necessarily applicable to Polk County as agriculture and forestry 10 acre zone which is also considered as part of this amendment. The Planning Commission has had a public hearing on February 11, 2020 to consider these matters. For consistency purposes the Planning Commission recommended that the same standards for wineries, cider businesses, and farm breweries be applicable in all four chapters. Except the AF 10 zone would require a conditional use permit instead of being an outright permitted use like the other 3 resource zones. Polk County zoning ordinance chapter 136 is the chapter that pertains to the exclusive farm use zone. Wineries are currently listed as an administrative review application and the proposed ordinance would be very similar they would just add cider businesses, and farm breweries and like wineries they will list the applicable criteria to direct applicants to look at zoning ordinance chapter 117.

Zoning ordinance chapter 138 is applicable to the farm forest and farm forest overlay zone and it is very similar to the EFU zone where they would just be adding the cider businesses and farm breweries and then siting the zoning ordinance chapter 117. Chapter 128.800 pertains to the agriculture forestry 10 acre zone and the state law standards only apply to the EFU farm forest and farm forest overlay. The Planning Commission that wineries, cider businesses, and farm breweries be permitted in this zone subject to a conditional use review rather than an outright permitted use. In zoning ordinance chapter 117 the wineries standards are outdated and they are less restrictive than our local standards. At the February 11, 2020 public hearing the Planning Commission recommended that the Board adopt the proposed amendments which are included in their packet as exhibits A through D. The Board of Commissioners will make a final local decision on these matters. Commissioner Ainsworth asks for any public testimony, and there was none. Commissioner Ainsworth closed the public hearing.

**MOTION: COMMISSIONER MORDHORST MOVED, COMMISSIONER POPE SECONDED, TO ACCEPT THE STAFF RECOMMENDATION TO ADOPT THE AMENDMENTS AS PROPOSED.**

**MOTION PASSED UNANIMOUSLY.**

Austin McGuigan, Community Development Director, informed the Board that they already prepared Ordinance No. 20-01 for the Board to adopt and sign.

At 9:16 a.m., County Counsel announced that the meeting was recessed to Executive Session pursuant to ORS 192.660(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Commissioner Ainsworth called the meeting back into regular session and adjourned the meeting at 9:30 a.m.

**POLK COUNTY BOARD OF COMMISSIONERS**

  
Mike Ainsworth, Chair

  
Craig Pope, Commissioner

  
Lyle Mordhorst, Commissioner