

## POLK COUNTY BOARD OF COMMISSIONERS

**DATE:** December 14, 2022  
**TIME:** 9:00 a.m.  
**PLACE:** Polk County Courthouse, Dallas, Oregon

**THE LOCATION OF THIS MEETING IS ADA ACCESSIBLE. PLEASE ADVISE THE BOARD OF COMMISSIONERS AT (503-623-8173), AT LEAST 24 HOURS IN ADVANCE, OF ANY SPECIAL ACCOMMODATIONS NEEDED TO ATTEND OR TO PARTICIPATE IN THE MEETING VIRTUALLY.**

### PAGE: AGENDA ITEMS

1. CALL TO ORDER AND NOTE OF ATTENDANCE
2. ANNOUNCEMENTS

- (a) Regular meetings of the Board of Commissioners are held on Tuesday and Wednesday each week. Each meeting is held in the Courthouse Conference Room, 850 Main Street, Dallas, Oregon. Each meeting begins 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. The Board also holds a department staff meeting at 9:00am on every Monday in the Commissioners Conference Room at 850 Main Street, Dallas, Oregon.
- (b) The Homeless Prevention Advisory Council will be meeting on Thursday December 15, 2022 from 12:00 pm to 1:30 pm located in the first floor conference room at 182 SW Academy St, Dallas Oregon, 97338.
- (c) The Grand Ronde Sanitary District Board is meeting on December 28, 2022 at 9:15 a.m. The meeting will take place in the Polk County Courthouse, 850 Main Street, Dallas, OR, 97338.
- (d) Polk County is completing a Child Care Assistance project funded with Community Development Block Grant funds from the Oregon Business Development Department. The location of the project is: Rural Polk County. It is estimated that the project has benefited at least 8 persons of whom 100% are low or moderate income. A public hearing will be held by the Polk County Board of Commissioners at The Polk County Courthouse in the Main Conference Room on December 21st at 9:00 am. The purpose of the hearing is for the Polk County Board of Commissioners to obtain citizens views about the project and to take comments about the local government's performance. Written comments are also welcome and must be received by 5:00 pm on December 20th at 850 Main St. Dallas OR 97338. Both oral and written comments will be reviewed by the Polk County Board of Commissioners. The location of the hearing is accessible to the disabled. Please let Nicole Pineda at 503-623-0896 know if you need any special accommodations to attend or participate in the hearing. More information about the Oregon Community Development Block Grant program and the project is available for public review at The Polk County Courthouse during regular office hours. Advance notice is requested.

#### **AVISO PÚBLICO Y NOTICIA DE AUDIENCIA PÚBLICA**

El condado de Polk está completando un proyecto de asistencia de pago de cuidado infantil patrocinado con el Community Development Block Grant del Oregon Business Development Department. La ubicación del proyecto es el condado de Polk. Está estimado que el proyecto propuesto beneficiará a por lo menos 8 personas, de los cuales 100% serán de ingresos moderados o bajos.

Una audiencia pública se llevará a cabo por la Junta de Comisionados del condado de Polk a las 9:00 el 21 de Diciembre, en el Juzgado del condado de Polk en la sala de conferencias en el 850 Main St. Dallas OR 97338.

El propósito de este segundo audiencia pública es para que el receptor puede examinar los resultados del proyecto con los ciudadanos y para tomar comentario de la ejecución del gobierno municipal. Los comentarios escritos son también bienvenidos y deben ser recibidos antes de 5:00 pm el 20 de Diciembre en el 850 Main St. Dallas OR 97338.

Ambos comentarios, escritos y orales serán considerados por la Junta de Comisionados del condado de Polk. La ubicación de la audiencia es accesible para personas con incapacidades. Por favor llame Nicole Pineda, a 503-623-0896, para avisar si usted necesitará cualquier tipo de acomodaciones especiales para asistir o participar en la reunión.

Más información sobre el Oregon Community Development Block Grants, y el proyecto están disponibles para la revisión pública en el Juzgado del condado de Polk, 850 Main St. Dallas OR 97338, durante las horas regulares de oficina. Se requiere del aviso anticipado.

- (e) Public Works will be holding a Public Hearing in conjunction with the BOC meeting on December 21, 2022 for the vacation of several portions of undeveloped right of way in the un-incorporated community of Ballston.
- (f) Public Works will be holding a Public Hearing in conjunction with the BOC meeting on December 21, 2022 for the vacation of a portion of Morris Road.

3. COMMENTS (for items not on this agenda)
4. APPROVAL OF AGENDA
5. APPROVAL OF THE MINUTES FROM December 7, 2022

6. LENGTH OF SERVICE AWARDS – Matt Hawkins
  - Monica David, 15 years
  - Gilbert Doersch, 10 years
7. RECLASSIFICATION OF AN EMPLOYEE – Matt Hawkins
8. RECLASSIFICATION OF AN EMPLOYEE – Matt Hawkins

**CONSENT CALENDAR**

- a) Polk County Order No. 22-18, Dog Board ReAppointment  
Gary Cordy, Donald Hoffman & Delbert Hoekstre  
(Morgan Smith, County Counsel)

THE BOARD OF COMMISSIONERS WILL MEET IN EXECUTIVE SESSION  
PURSUANT TO ORS 192.660.

ADJOURNMENT

POLK COUNTY PUBLIC MEETINGS AND PUBLIC HEARINGS  
GUIDELINE FOR CITIZENS

\*\*\*\*\*

REGULAR MEETING AGENDA

Regular meetings of the Polk County Board of Commissioners convene at 9 a.m. each Wednesday morning. Any person wishing to bring a matter before the Board at one of these meetings may do so by mailing or delivering written notice, concisely describing the nature of the item, to the Board of Commissioners, Polk County Courthouse, Dallas, Oregon 97338, by noon on the preceding Thursday. Unless otherwise announced, meetings are held in the Main Conference Room of the Courthouse.

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APPEARANCE OF INTERESTED CITIZENS

The Board sets aside a time at each regular meeting for comment by the public on subjects not appearing on the Agenda. Individuals may come forward and make any statement they wish, but not to exceed three (3) minutes in length, except as is required to give concise answers to questions from Board members. If the subject will require a lengthier presentation, or merits inclusion as an item on the Agenda of a future meeting, the Board shall schedule it accordingly.

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PUBLIC HEARING FORMAT

Land Use

1. Chairman opens hearing.
  - a. Reading of hearing request or appeal statement.
  - b. Call for abstentions (ex parte contact or conflict of interest).
2. County staff presents background, summary and its recommendation (20-minute limit).
3. Applicant (Appellant) presents his/her case (15-minute limit).
4. Public testimony. Note that all testimony and evidence must be directed toward the applicable factual and legal criteria as identified in the record and/or during this hearing. Do not repeat previous testimony. Simply note for the record that you are in agreement with that earlier testimony. Your time to present testimony is limited. FAILURE TO RAISE AN ISSUE IN THIS HEARING, IN PERSON OR BY LETTER, OR FAILURE TO PROVIDE ADEQUATE SPECIFICITY TO AFFORD THE BOARD AN OPPORTUNITY TO RESPOND TO THE ISSUE MAY PRECLUDE LATER APPEAL TO LUBA ON THAT ISSUE.
  - a. Individuals in favor of the application or appeal.
  - b. Individuals against the application or appeal. At the discretion of the Chairman, an attorney, consultant, or other designated representative of two or more individuals may be allowed the combined time for each represented individual who does not speak, not to exceed 20 minutes. The Chairman may require proof of designation.
5. Rebuttal by Applicant (Appellant) (10-minute limit).
6. Questions from Board (discussion limited to individuals questioned by the Board).
  - a. Staff.
  - b. Applicant (Appellant).
  - c. Individuals testifying.
7. Chairman closes hearing and announces closing of Record.
8. Chairman announces date for deliberation and decision.
9. The Board's decision is deemed the final decision of Polk County. It may be appealed to LUBA within 21 days of its issuance in written form. The address and phone number of LUBA may be obtained from the Polk County Community Development Department and will also appear on the Notice of Decision which will be mailed to all persons who testify, submit comments, or print their name and address on the hearing attendance sheet at the back of the hearing room.

**POLK COUNTY BOARD OF COMMISSIONERS**  
**MINUTES December 7, 2022**

**1. CALL TO ORDER & ATTENDANCE**

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

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

**2. ANNOUNCEMENTS**

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**3. COMMENTS**

None.

**4. APPROVAL OF AGENDA**

Greg Hansen, Administrative Officer, stated there was a change to the agenda with the addition of Polk County Contract No 22-195 which is a service contract for Behavioral Health to the Consent Calendar.

**MOTION: COMMISSIONER GORDON MOVED, COMMISSIONER MORDHORST SECONDED, TO APPROVE THE AGENDA WITH THE ADDITION TO THE CONSENT CALENDAR.**

**MOTION PASSED BY UNANIMOUS VOTE OF THE QUORUM.**

**5. APPROVAL OF MINUTES OF BOARD MEETING OF November 30, 2022**

**MOTION: COMMISSIONER MORDHORST MOVED, COMMISSIONER GORDON SECONDED, TO APPROVE THE MINUTES OF November 30, 2022.**

**MOTION PASSED BY UNANIMOUS VOTE OF THE QUORUM.**

**6. APPROVAL OF CONSENT CALENDAR**

**MOTION: COMMISSIONER GORDON MOVED, COMMISSIONER MORDHORST SECONDED, TO APPROVE THE CONSENT CALENDAR.**

**MOTION PASSED BY UNANIMOUS VOTE OF THE QUORUM.**

**7. PUBLIC SAFETY LEVY RE-AUTHORIZATION:**

Greg Hansen, Administrative Officer, provided his recommendation to the Board as follows:

- To place a Local Option Tax (operating Levy) measure on the ballot for May 16, 2023, general election to re-authorize the 2019 public safety levy in Polk County.
- A local option tax (operating levy) in an amount not to exceed \$0.495/\$1,000 assessed value for the duration of five (5) years.
- As part of the measure, the county would eliminate the final year of the 2019 voter approved public safety operating levy

Mr. Hansen's memorandum provided some background information regarding the public safety levy, as well as, some answers to questions that may be asked, what the alternatives may be, and fiscal impacts. Mr. Hansen stated for the record that the Sheriff is not in attendance because he is currently attending a conference and it is not due to lack of support. DA Aaron Felton is also not in attendance due to a personal reason, and not because of lack of support, and Commissioner Pope had an appointment that he could not miss, but he spoke with Mr. Hansen yesterday and shared his support for the recommendation. Mr. Hansen stated for the record that this is not a final decision, this is the starting point to be able to open up the public hearing and final Board Order. Commissioner Gordon stated that he knows the increase is a lot to ask of people but he understands the need for this and he supports the recommendation. Commissioner Mordhorst would like to schedule a public outreach and that he supports the recommendation.

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

- a) Budget Committee Reappointment of Blair Wasson & Norbert Hartmann  
(Nicole Pineda, Executive Assistant to the BOC)
- b) Polk County Contract No. 22-195, Service Contract  
(Bekah Quiner, Behavioral Health)

At 9:17 a.m. County Counsel announced that the meeting was recessed to Executive Session pursuant to ORS 192.660(2)(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions and ORS 192.660(2)(f) To consider information or records that are exempt by law from public inspection. The Executive Session ended at 9:54 a.m

**POLK COUNTY BOARD OF COMMISSIONERS**

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Lyle Mordhorst, Chair

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Craig Pope, Commissioner

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Jeremy Gordon, Commissioner

**TO:** Board of Commissioners

**FROM:** Morgan Smith, County Counsel

**DATE:** December 14, 2022

**SUBJECT:** Re-appointment members to the Polk County Dog Board

**RECOMMENDATION:**

Re-appoint Gary Cordy, Donald Hoffman & Delbert Hoekstre to the Polk County Dog Board, term to expire December 31, 2025.

**ISSUE:**

Should the Board make this re-appointment to the Dog Board?

**BACKGROUND:**

Gary, Donald & Delbert have agreed to continue to serve.

**FISCAL IMPACT:**

None.

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6 BEFORE THE BOARD OF COMMISSIONERS FOR  
7 POLK COUNTY, OREGON  
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9 In the Matter of Re-appointing )  
10 Members to the )  
11 Polk County Dog Board )  
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13 **ORDER NO. 22-18**  
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15 WHEREAS, Polk County has been declared a dog control district; and  
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17 WHEREAS, PCCO 42.125 requires the Board of Commissioners to appoint five  
18 (5) qualified persons to serve on the Polk County Dog Control Board;  
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21 **NOW THEREFORE, THE POLK COUNTY BOARD OF COMMISSIONERS ORDER**  
22 **AS FOLLOWS:**  
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- 24 1. Gary Cordy, Donald Hoffman & Delbert Hoekstre are appointed to the Polk  
25 County Dog Board. Effective date of appointment is December 31, 2022.  
26 Term of appointment is through December 31, 2025.  
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28 Dated this 14th day of December, 2022, at Dallas, Oregon.  
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31 **BOARD OF COMMISSIONERS**  
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35 Lyle Mordhorst, Chair  
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39 Craig Pope, Commissioner  
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43 Jeremy Gordon, Commissioner  
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45 Approved as to Form  
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48 Morgan Smith  
County Counsel