

POLK COUNTY BOARD OF COMMISSIONERS
TUESDAY MEETING – JANUARY 4, 2011
MINUTES

1. At 9:00 a.m., Chairman Propes declared the Tuesday meeting of the Polk County Board of Commissioners in session. Commissioner Pope and Commissioner Ainsworth were present. A CD of the proceedings is on file in the Board of Commissioners' Office.

2. **OUT-OF-STATE TRAVEL**

Sheriff Wolfe requested authorization for out-of-state travel and per diem expenses for Detective Curtis Pitt to attend the International Conference on Child and Family Mistreatment in San Diego, California January 23-27, 2011 as outlined in his memorandum to the Board. The Board approved the out-of-state travel.

Additionally, Wolfe requested authorization for out-of-state travel for Sergeant Michael Holsapple to attend the U. S. Drug Enforcement Administration Drug Unit Commander's Academy in El Paso, Texas January 25 through February 3, 2011 as outlined in his memorandum to the Board. The Board approved the out-of-state travel.

Additionally, Wolfe requested authorization for out-of-state travel for Sergeant Newman and Sergeant Garton to attend a combination of two courses that include Field Force Operations and Initial Law Enforcement Response to Bomb Attacks to be held at the Center for Domestic Preparedness in Anniston, Alabama from March 27, 2011 through April 1, 2011 as outlined in his memorandum to the Board. The Board approved the out-of-state travel.

3. **OUTDOOR SCHOOL – POLK SOIL AND WATER**

No show

4. **ROAD VACATION PROCESS**

Eric Berry, County Surveyor explained the process to vacate roads. Requests to vacate come from private property owners. Near the inception of the County, there were a number of plats created in what is now farmland so we have road rights-of-way that are not being used. Generally what happens is a new owner will come in tries to build or do something on the land, use the right-of-way that has been around for plus or minus 100-years, and that throws the neighborhood into turmoil. It is at that point the County gets involved when the neighbors want to get rid of these rights-of way. The requests to vacate come to Public Works and the Board of Commissioners has the ultimate decision authority. Public Works does all the process work, the legal descriptions, notification, etc. and brings that information to the Board at a public hearing. Often times, adjacent landowners will come in and provide testimony for or against the request.

Berry said that road downgrades are similar in process with the main difference being the ultimate outcome. In a road vacation the County relinquishes all public right to use that property. There are two levels of County roads; a County maintained road and a local access road, which is a right-of-way that may or may not contain a road. Generally, the County does not actively maintain those roads as they are private driveways, if they are constructed. Public Works can, through the BOC, downgrade those roads from a County maintained road to a local access or non-County maintained road.

Todd Whitaker said that a property owner can also bring a road up to County standards and request that it be brought into the County road system.

Berry said that Public Works has started looking at some roads that it may make sense to downgrade from a County maintained status to local access or public use road status and remove our maintenance responsibilities. This process was started under the old Board and staff wants to make sure the new Board wants to continue in that direction. The roads they are currently looking at are Anderson, Hadley, Hainer, and E. A. Shirley Roads.

Hansen said that if we get through this process and it goes well, there are probably another 30 to 40 roads that will eventually come before the Board to remove from our system. It is not that we spend a lot of money on these roads, but it involves time that we could dedicate to roads that are more critical to the transportation system.

The Board agreed with the process and there is a public hearing scheduled in the Courthouse conference room on Wednesday, February 9, 2011 at 9:00 a.m.

5. **ACADEMY BUILDING RENOVATION**

Greg Hansen said that the project was bid in November 2010 and we received bids from seven contractors, Baldwin being the lowest at \$1.31 million. He gave them a notice of intent to proceed last year under the old Board. He said that we now have a new Board and we need to consider moving forward with that project. However, to go forward will require us to get some funding, either through energy loans or COPs. He will be talking with the person we did our bonds with for the Jail, the refinancing of the Jail, and the Road Bond. He will get more information on the bonding process to go through COPs and also talk to the Board about other projects we may want to incorporate into that. This would be a facility type of COP and the least amount we would go out for is \$1.5 million and the most is \$2 million to \$2.5 million, including other projects such as repaying the current debt we have with Chemeketa, renovations to the Courthouse facility, and possible future land purchases. He said that he will put something together and have that ready for the Board within a couple of weeks.

Pope asked if there is a timeline in which we have to spend the gas tax monies. He also asked about COPs for road projects.

Hansen said that in order to move forward with COPs on the road projects, we should have started a month ago because we have missed the window to get bid packets out for the upcoming construction season. We will always have the option to go with COPs for the roads but we may want to play out a year of fully funded gas tax to see how that works. He said that gas tax monies are dedicated to Public Works and to the road system, except for 1% that is dedicated to bike paths, and that money can be held in reserve or put into the system. He said that after further analysis and conversations with the Public Works Director and Commissioner Propes, it was determined that it is not in our best interest to pursue COPs for road projects at this time. The only advantages to mixing projects is that there would be lower administrative costs associated with the COPs and the need to do the Public Works projects is minor compared to the Academy remodel.

6. **TITLE II**

Hansen said that we received a letter from the Salem District RAC regarding the Secure Rural Schools and Community Schools Self-Determination Act. The County submits projects to the local RAC to access monies for Title II projects. In the past, we have submitted requests for both a Noxious Weed Abatement program and Dumpstoppers. We utilize the Community Service Program to address noxious weeds or to pick up roadside trash in BLM areas and other areas of the County. BLM also helps fund a Forest Patrol Deputy to a minor level as part of a consortium of private and public entities. We have utilized Title III monies in the past for that but the new Title III monies do not allow for that use. We do have some historic monies we can spend on a Forest Patrol Deputy. The Community Corrections Director applies for these programs and we have been successful in receiving those monies to date.

Propes said that we may want to look at putting almost all of our Title III monies into Title II and then ask Title II for the Forest Deputy because they have more flexibility.

Pope asked how the Dumpstoppers and Noxious Weed Programs were handled over the last year.

Hansen said that we utilized Community Service for Dumpstoppers and the Noxious Weed Program. For calendar year 2010, we were reimbursed \$34,800 for our Community Service crews

for the Noxious Weed Program and \$42,900 for the Dumpstoppers Program. We have one person and crew dedicated to these two programs and we picked up about 104,000 pounds of metal through the Dumpstoppers Program. He said that he will have the Community Corrections Director submit the paperwork for Dumpstoppers and the Noxious Weed Abatement Programs.

7. **BUDGET CALENDAR**

Greg provided the budget calendar for the 2011 budget hearings. He reviewed the calendar with the Board. Budget hearings will be held the week of March 28, 2011 – April 1, 2011.

8. **COMMISSIONERS LIST OF COMMITTEE FOR 2011**

Propes reviewed how the Board has operated in the past, beginning with the powers of the Chair. He said that as long as he has been Commissioner, the Chair of the Board has had no more power than either of the other Commissioners; all the Chair does is run the meetings, he does vote, and he can make motions. He said that we have always had a standing rule about authority. The three Commissioners are the ones with authority but individually, they really do not have any authority, except for what we call “the 20-minute rule.” What that means is that if a Commissioner wants something from staff and it will not take more than 20-minutes, that Commissioner can ask staff to do that task without bringing it to a Board meeting for permission. He said that the 20-minute rule was established so things don’t get out of hand and so that we can get things accomplished. He said that if there is an emergency situation, there is a way to call an emergency Board meeting.

Dave Doyle, County Counsel said that the only requirements for that are that it is a genuine emergency and that we notify the press. Attendance by phone is also legal in Oregon, which means the Board can convene a meeting almost any time, anywhere.

Propes said that if a Commissioner sees something that needs to be done but it is not an emergency or is not at the level that it needs to go before the entire Board, that Commissioner can contact the Administrative Officer because he has the authority from the Board to do whatever needs to be done. He said that what the Board has really tried to do in the past is focus on efficiency and effectiveness and this way of operating has allowed for that. We do have a strict out-of-state travel policy that works well for the County.

Doyle said that Tuesday meetings used to be work sessions, the Board could take no final action, and there did not have to be a quorum. We changed that years ago, which is why we do the minutes, etc., and Tuesday meetings are now full Board meetings. We do not hold public hearings at a Tuesday meeting but they are public meetings. During regular Wednesday Board meetings, however, the Board can meet in Executive Session although the policy has been to do this as seldom as possible.

The Board approved the Commissioners list of committee assignments for 2011.

9. **NON-LISTED ITEMS** (Pursuant to ORS 192.640, the Board of Commissioners considered the below identified non-listed items.)

(a) **EXTENSION SERVICES BUILDING**

Hansen said that the County did some analysis of a possible Extension Service Building to potentially be located at the Fairgrounds along with Polk Soil and Water, and other entities. He provided a study conducted by the architects, which was not overseen by the County. He said that each entity consulted with the architects and provided them with a list of what they wanted in this building. He said that the County tried to give the various entities guidelines but those guidelines were not followed and, bottom line is, the architects came up with a building that is 16,000 square feet with a price tag of \$3.8 million. There is a meeting of the Extension Building Committee next Wednesday at 1:30 p.m. in the Courthouse conference room.

(b) **SALARIED EMPLOYEES**

Matt Hawkins said that we are looking at making department heads and some of our managers and supervisors salaried employees. The Board agreed.

(c) **NACo DUES**

Hansen said that it is time to pay NACo dues for 2011. The Board agreed to pay those dues.

Pope said that he would like to further understand what our opportunities are with NACo and the Prescription Drug Assistance Program.

Propes said that the County looked at this program at one time but at that time, you could do better by utilizing the Wal-Mart drug program. He said that was several years ago and things may have changed since then.

Hansen said that this is a program that can be offered to all citizens to help them receive reduced costs for prescription drugs. He said that he believes there are several counties who utilize that program and it works well. He said that he will attend the County Administrators luncheon meeting on Friday and he will find out more about this program at that meeting and bring that information back to the Board.

(d) **WHO'S WHO**

The Board agreed to purchase an ad in the "Who's Who" section of the Itemizer-Observer.

Chairman Propes adjourned the meeting at 12:25 p.m.

Minutes: Jennifer Wheeler
Approved: January 18, 2011