

POLK COUNTY BOARD OF COMMISSIONERS
TUESDAY MEETING – FEBRUARY 1, 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. **MOTION: COMMISSIONER POPE MOVED, COMMISSIONER AINSWORTH SECONDED, TO APPROVE THE MINUTES OF JANUARY 25, 2011.**

MOTION PASSED UNANIMOUSLY.

3. **UPDATE ON SALEM ACTIVITIES**

Dan Clem, Salem City Councilman said that a representative from Polk attended the scoping meeting with ODOT on January 20, 2011 regarding Highway 22 improvements. He said that he thinks rerouting Doaks Ferry to Riggs Road is a great idea and he has a meeting set up with Peter Fernandez and Tony Martin to confirm that City staff and Polk County leadership are together on this because if it's just another "Polk County by itself" idea, which has been the case in the past, it probably won't go anywhere. He said that ODOT wants to shut down the left turn lane from Doaks Ferry Road onto Highway 22 due to accidents at that location and he has told them that he will not support that closure politically if there are not some other improvements made to that intersection. He requested that the representative from Polk County attend the meeting Fernandez and Martin so there can be a Salem / Polk County discussion before the scoping goes any further because if there is an ability for the Riggs Road connection, he wants to be able to make that happen.

Todd Whitaker, Public Works Director said that he was at the scoping meeting on January 20 and one of the questions he had coming out of that meeting was what the funding situation is with that intersection. He said that if the funding is there, the County would like to step back and talk about the backage road down to Riggs Road, which would make a safer place for cars to enter and exit the Expressway. He said that he will attend the meeting with Fernandez and Martin.

Clem said that the first step is to create a project and then go chase the money. This December we come up on the Transportation Improvement Plan budget that has Federal money and also leverages State money. He said that he wants to create a project at Doaks Ferry Road and put a placeholder dollar value to that project without interfering with the creation a project for Highway 22 / 51.

Propes said that ODOT has been saying for about five years that they are going to present a plan for the Expressway Management Plan and improvements at the intersection Highway 22 / 51 is part of that plan. The frontage road piece of the Riggs Road fix fits into the Expressway Management Plan, which we have not yet seen, utilizing safety dollars. The Expressway Management Plan will not show access onto the highway at Riggs Road, but that is what we would be adding to it instead of Doaks Ferry Road.

Clem asked, "Why don't we just have a discussion about closing Doaks Ferry?" He said that sometimes you have to close something that's dangerous and then a solution comes up.

Clem said that he wanted to invite the Board's attention to the Green House Gas rule making that DLCDD is doing. He said that this is all about limiting "vehicle miles traveled" and what it will do to Salem, Turner, and Keizer is say that "you now drive 20 million miles a year and you must reduce that by "X%" every year until 2015. He said that what they were able to do in SB 1059 is preclude that we must comply with the targets. All they got in SB 1059 last year was a requirement to create the targets for the urban areas. He said that 47% of the traffic in and around the region comes from without so what that would force jurisdictions to do is take a look at people who do not live here. The point is that by June 1, 2011 DLCDD will have rules in place establishing those targets and the next thing the legislature can play with is imposing those targets. They are going to impose targets for everyone eventually; all they have done now is pick on the six urban areas. He said that a practical approach would be to offer transportation choices; bus routes, bike and pedestrian paths, etc. He said that neither the Salem Transportation System Plan nor the Regional Transportation System Plan is written to reduce single occupant vehicle miles traveled, they are written to provide alternatives or

transportation choices. He said that his plan is to find friends to help him with the message of providing transportation choices, not limiting driving.

4. **E-VERIFY**

Ted Campbell introduced Lee Vasche and Cynthia Kendoll from Oregonians for Immigration Reform. Campbell said that they started an initiative last year and after speaking with the County Clerk and to save some time, they checked names and signatures and found that a number of people had moved from the time they registered to vote and the time they signed a petition. Because of that, they decided not to turn those petitions in to the Clerk and are now taking a different approach. They asked the Board to consider making a law or regulation where anyone with five or more employees is required to use E-Verify. He provided some handouts to which he referred and that have been made a part of the permanent record. By consensus, the Board agreed that this is an issue that would best be handled at the State or Federal level. A CD of the proceedings is on file in the Board of Commissioners' Office.

5. **PUBLIC WORKS UPDATE**

Todd Whitaker, Public Works Director said that they have been doing some brushing work and pulling shoulders for the last week and will continue that for some time. He said that when they do brushing with the flail mower it looks somewhat ugly but it is cost effective for doing what the County needs done. They generally try to time that for this time of year so that when the leaves grow out in spring, it looks good again. He said that recently there was a complaint because the crew went through and did some trimming, planned on coming back a day or two later to do the cleanup because it was a nicely landscaped area, and a complaint was generated in between so the job was not finished.

Propes suggested that the area in question might be one where the property owner would be interested in a private maintenance agreement. He said that when someone does as nice a job as this property owner, it would be worth him having that agreement.

Whitaker said that in his reply to the property owner, he will make that recommendation.

Pope asked about the policy for brushing.

Whitaker said that the policy states that if it is in the "clear zone," it is out and whether it goes by flail mower or saw does not make any difference to the County. He said that the crew usually goes from back of ditch and up 21-feet. There have been some cases when they used the flail to remove something and in hindsight they probably should have done that with a saw but in some areas where there have been complaints, property owners have signed private maintenance agreements. They do, however, still have to maintain to the same dimension the County would. He said that he will check to see if they advertise the private maintenance agreement program on their website.

Whitaker said that Polk County was nominated for a paving award by Asphalt Paving Association of Oregon for last year's overlay project for the section of road between Andrea and the end Maple Hill Road.

Whitaker said that there have been some meetings with ODOT and Cherriots regarding the Park and Ride at the Fairgrounds to see if ODOT will allow them to construct a portion of that in their right-of-way. He said that ODOT is evaluating that request and we will have to see how that goes.

Ray Steele said that Tina Andersen, Fair Manager has spoken with Cherriots and they have no problem with the original plan and are ready to move forward with whatever recommendation comes forward from the Board of Commissioners and the Fair Board for design.

6. **FAIR BOARD APPOINTMENT**

Propes stated that Norbert Hartmann submitted a letter requesting a temporary leave of absence to deal with medical issues. He said that if the Board grants that temporary leave of absence that would leave one open position and a potential temporary position.

MOTION: COMMISSIONER AINSWORTH MOVED, COMMISSIONER POPE SECONDED, TO GRANT A TEMPORARY MEDICAL LEAVE OF ABSENCE TO NORBERT HARTMANN, FAIR BOARD MEMBER.

MOTION PASSED UNANIMOUSLY.

Pope asked the Fair Board Chair if the Board needs to fill a temporary spot so the can move forward more efficiently or not.

Ray Steele said that the last he spoke with Norbert, his plan was to return mid-summer. He said that if he were to be gone until after the Fair, it would be productive to have a temporary replacement but since he will be returning mid-summer, he does not believe it would be fair to appoint someone for such a short period of time.

After discussion:

MOTION: COMMISSIONER POPE MOVED, COMMISSIONER AINSWORTH SECONDED, TO APPOINT ANNA SCHARF TO THE POLK COUNTY FAIR BOARD.

MOTION PASSED UNANIMOUSLY.

7. **DESIGNATION OF BUDGET OFFICER**

Greg Hansen, Administrative Officer said that by statute, the County is required to name a Budget Officer and approve a budget calendar and the budget calendar was approved at a previous meeting but we have yet to designate a Budget Officer.

MOTION: COMMISSIONER AINSWORTH MOVED, COMMISSIONER POPE SECONDED, TO APPOINT GREG HANSEN AS BUDGET OFFICER.

MOTION PASSED UNANIMOUSLY.

8. **POLK COUNTY FAIR FOUNDATION REQUEST**

Hansen said that the Board of Commissioners received a letter from the Polk County Fair Foundation, which was also addressed to the Fair Board. He said that his suggestion would be that the Fair Board addresses this issue and if they and the Fair Foundation are on the same page, they come before the Board of Commissioners for endorsement. The Board agreed by consensus.

9. **REVISED COMMISSIONERS LIST OF COMMITTEES FOR 2011**

Jennifer Wheeler provided a copy of the revised Commissioners list of Committees for 2011 changing the meeting time for the COG Board of Directors and adding the Extension Citizen Advisory Network meeting time and place. The Board approved the revisions by consensus. The revised list will be provided to the press and posted in the Courthouse.

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

(a) **REQUEST TO HIRE AT STEP III**

Stan Butterfield, District Attorney said that they conducted interviews for Deputy District Attorney I and the applicant chosen has more experience than they would typically see. The applicant was the Prosecuting Attorney in the City of Albany for three years in their Municipal Court and generally when we hire a Deputy District Attorney I, that person is straight out of law school. He requested authorization to hire this applicant at step 3 of the salary range.

MOTION: COMMISSIONER POPE MOVED, COMMISSIONER AINSWORTH SECONDED, TO HIRE A DEPUTY DISTRICT ATTORNEY AT STEP 3 OF THE SALARY RANGE.

MOTION PASSED UNANIMOUSLY.

(b) **DAMAGE ON COUNTY ROADS**

Hansen said that the County has had reports of damage on County roads, usually done by contractors when unloading equipment. He said that contractors are unloading heavy equipment on County roads without putting down the necessary rubber mats, which causes damage to the road. He said that he and the Public Works Director went out and looked at some damage on Gibson Road and the mats were on the side of the road in the grass, the piece of equipment was already unloaded, and the contractor didn't take the time to use the mats. He said that historically, the County has been very protective of our infrastructure and he wants contractors to have the same care about our roads. He said that he, County Counsel, and the Public Works Director will work on a policy to deal with this type of damage to County roads in the future.

(c) **FAIR BOOTH AND BANNER**

The Board discussed the banner and the booth at the Polk County Fair. Propes said that the booth space started out as an elected officials' booth space for all elected officials and was used as a place to put information about the County. The Commissioners pay for that space personally, not with taxpayer dollars. He said that over time the only people who were utilizing the booth were the three Commissioners but they still continued to put information about the County in the booth as well as Polk County maps to give out. The booth was set up so that it did not require anyone to be in the booth but it was a place for people to gather and visit.

Pope said that in recent history, that booth looked more like a campaign booth than a County information booth. He said that if the booth is for campaign purposes, he does not support that. He said that if the booth is to promote Polk County, he would be interested in that but would like to solicit other elected officials to see if there is interest in joining in on that effort.

Ainsworth said that he is also not interested in using the booth as a campaign booth. He would like to keep the booth to promote Polk County. He said that he is all for the Polk County part and he agrees with Commissioner Pope that it should not be a political booth.

Propes said that there has always been information about Polk County in the booth and it has been a nice place for people to get that information and to meet. He suggested we go back to how it started with a picture of the three Commissioners, as well as pictures of the other elected officials and information about the County. The Board agreed by consensus.

Propes said that the banner is another issue in that it is for the Polk County Board of Commissioners, displays the three names, and is paid for personally by the Commissioners.

Pope stated that he wants to sell that to business. He said that he wants businesses to pay for that blank space and his guess is that there are a number of businesses that may have waited for that opportunity. He said that he would like to see the Fair Board work harder to sell banners to the private sector.

Ainsworth said that he would like to have a banner because the Commissioners are part of the County and he thinks it shows support for the Fair and the Fair Board. He said that he believes that it sets a good precedent.

Propes said that he agrees with Ainsworth in that the banner does show that support.

Pope agreed.

Chairman Propes adjourned the meeting at 11:05 a.m.