

POLK COUNTY BOARD OF COMMISSIONERS
MINUTES May 25, 2011

At 9:01 a.m., Chairman Pope declared the meeting of the Polk County Board of Commissioners to be in session. Commissioner Ainsworth was present, Commissioner Wheeler was absent. A CD of the proceedings is on file in the Board of Commissioners' Office.

Staff present: Greg Hansen, Administrative Officer
 Austin McGuigan, Community Development Director
 Jerry Sorte, Planning Manager

2. ANNOUNCEMENTS

Chairman Pope announced that regular meetings of the Board of Commissioners are held on Tuesday and Wednesday each week. The Tuesday meeting is held in the Board of Commissioners' Office Conference Room, 850 Main Street, Dallas, Oregon. The Wednesday 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.

Chairman Pope announced that 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. 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.

Chairman Pope announced that the Polk Resource Center Building Committee will meet Wednesday, May 25, 2011 at 10:30 a.m. in the Courthouse conference room.

3. COMMENTS (for items not on this agenda)

Zachary Odegard appeared before the Board to report that two pit bulls attacked and killed his livestock on Oakdale Road. Animals killed included two sheep and five rabbits, three of which were pregnant. He raises these animals for display and auction at the Polk County Fair. The Dog Board ordered restitution but there has been no contact with the dog's owners and he has not been successful in trying to contact them. He attended the Dog Board Hearing and was unhappy with the way he was treated by the Dog Control Officer. Zachary and his mother were told that to get the dog owners information they would have to hire a lawyer. He feels the dog owners are more protected by the law than the victims are. Why can the Dog Board not determine restitution?

Laura Smith spoke about her frustration with the situation and the difficulty in obtaining compensation for Zachary's losses. She said they are required to attend the Dog Board hearing and are forced to relive the experience of seeing their livestock killed while the Dog Board only "suggests" the dog owners pay restitution.

Commissioners Pope and Ainsworth said they would confer with the County Counsel to see if there is anything that can be done to assist in this matter.

4. APPROVAL OF AGENDA

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

MOTION PASSED BY A UNANIMOUS VOTE OF THE QUORUM.

5. APPROVAL OF CONSENT CALENDAR

MOTION: COMMISSIONER AINSWORTH MOVED, COMMISSIONER POPE SECONDED, TO APPROVE THE CONSENT CALENDAR.

MOTION PASSED BY A UNANIMOUS VOTE OF THE QUORUM.

6. APPROVAL OF MINUTES OF MAY 18, 2011

MOTION: COMMISSIONER AINSWORTH MOVED, COMMISSIONER POPE SECONDED, TO APPROVE THE MINUTES OF MAY 18, 2011.

MOTION PASSED BY A UNANIMOUS VOTE OF THE QUORUM.

7. PUBLIC HEARING – ZONE CHANGE ZC 11-01

Jerry Sorte, Planning Manager, explained that the purpose of this public hearing is for the Board of Commissioners to receive public testimony and to consider changing the zoning on a property located at T7S, R3W, Section 15, Tax Lot 605 from Suburban Residential (SR) to Multi-Family Residential (RM). Sorte presented the staff recommendation that the Board adopt the zone change.

Hans Thygeson, property owner said he is the developer of several properties along Wallace Road and this will be a sister property to one of them.

Pope opened the meeting to testimony from the public. An e-mail from E.M. Easterly was presented by Sorte for consideration. Hearing no other testimony, Pope closed the meeting to public testimony.

MOTION: COMMISSIONER AINSWORTH MOVED, COMMISSIONER POPE SECONDED, TO ADOPT ZONE CHANGE ZC 11-01

MOTION PASSED BY A UNANIMOUS VOTE OF THE QUORUM.

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

a) PUBLIC WORKS – CONTRACT NO. 11-55

Approved Contract #11-55 in the amount of \$466,485 for 2011 Polk County Pavement Preservation Program to the successful low bidder, North Santiam Paving.

(b) PLANNING – ORDINANCE ORD 11-03

Adopted Ordinance ORD 11-03, amendments to Polk County Zoning Ordinance Chapters 136, 138 and 177.

(c) PUBLIC HEALTH – CONTRACT #11-54

Approved Contract #11-54 with State Department of Human Services for the financing of Public Health Programs.

At 9:19 a.m., the County Administrative Officer announced that the meeting was recessed to Executive Session to deliberate with persons designated to carry on labor negotiations for Polk County. The statute allowing an executive session to conduct deliberations with persons designated to carry on labor negotiations for Polk County was announced. Although the public will be excluded, no vote may be taken in Executive Session. Media may attend but may not report on the meeting. A CD of the meeting is on file in the Board's office, but is confidential under ORS 192.660.

Chairman Pope called the meeting back in to regular session and adjourned the meeting at 10:15 a.m.

POLK COUNTY BOARD OF COMMISSIONERS

Craig Pope, Chair

Mike Ainsworth, Commissioner

Jennifer Wheeler, Commissioner

Minutes: Rick Davisson
Approved: June 1, 2011