

POLK COUNTY BOARD OF COMMISSIONERS

MINUTES November 30, 2011

1. CALL TO ORDER & ATTENDANCE

At 9:04 a.m., Chairman Pope declared the meeting of the Polk County Board of Commissioners to be in session. Commissioner Ainsworth and Commissioner Wheeler were present. A CD of the proceedings is on file in the Board of Commissioners' Office.

Staff present: Greg Hansen, Administrative Officer
 Dave Doyle, County Counsel
 Austin McGuigan, Community Development Director
 Jerry Sorte, Planning Supervisor

2. ANNOUNCEMENTS

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.

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.

The Board of Commissioners will attend a meeting with the Marion County Board of Commissioners to discuss early learning services on Tuesday, December 6, 2011 at 3:30 p.m. in the Columbia & Santiam River Conference Rooms at 451 Division St NE, Salem.

The Board of Commissioners will conduct a public hearing regarding Legislative Amendment 11-03, regarding Winery Standard Updates on Wednesday, December 14, 2011 at 9:00 a.m. in the Courthouse conference room, 850 Main Street, Dallas, Oregon.

The Board of Commissioners will conduct a public hearing regarding Lot Line Adjustment LLA 10-10, Plan Amendment PA 10-04, and Zone Change ZC 10-04 (Hilltop Cemetery Maintenance District) on Wednesday, December 14, 2011 at 9:00 a.m. in the Courthouse Conference Room.

3. COMMENTS (for items not on this agenda)

4. APPROVAL OF AGENDA

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

MOTION PASSED UNANIMOUSLY.

5. APPROVAL OF CONSENT CALENDAR

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

MOTION PASSED UNANIMOUSLY.

6. APPROVAL OF MINUTES OF NOVEMBER 23, 2011

MOTION: COMMISSIONER WHEELER MOVED, COMMISSIONER AINSWORTH SECONDED, TO APPROVE THE MINUTES OF NOVEMBER 23, 2011.

MOTION PASSED UNANIMOUSLY.

7. PUBLIC HEARING – LEGISLATIVE AMENDMENT LA 11-02

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 changes to Polk County Zoning Ordinance Chapters 112, 128.500, 128.700, and 128.800. The proposed updates will reduce the setbacks for fences and signs, and would remove specific restrictions on the size, number, and allowed uses of garages. The amendments would also update the standards for hardship dwellings and would amend the height restrictions for accessory structures in certain zones.

The Planning Commission held a public hearing on October 18, 2011 and unanimously recommended that the Board adopt the proposed amendments. However, staff recommended continuing the public hearing until February 1, 2012 to allow the cities and the public more time for comments.

Chairman Pope opened the meeting for public testimony and asked if there was any testimony from the public.

Tom Hall of 1574 37th Ave. NW, Salem, OR 97304 testified that he is outside of the City of Salem city limits, but within the Urban Growth Boundary. Mr. Hall testified that he wants to build a tree house, but because he will need a support beam from the ground, the tree house is considered an accessory structure. In order to build it, he would need to get a waiver from the City of Salem to have an accessory structure above 15 feet, but the City told him that they have no policy allowing them to waive the height limitation. Mr. Hall is in favor of these amendments, but requested that the Board not continue the hearing until February but instead adopt the amendments today.

Jason Locke, Community Development Director for the City of Dallas testified that the City also finds this issue problematic and supports the establishment for a height limit for accessory structures to streamline the process. The City of Dallas has review authority through the Urban Growth Boundary management agreement.

MOTION: COMMISSIONER WHEELER MOVED, COMMISSIONER AINSWORTH SECONDED, TO APPROVE STAFF RECOMMENDATIONS TO CONTINUE THE PUBLIC HEARING UNTIL FEBRUARY 1, 2012.

MOTION PASSED UNANIMOUSLY.

Commissioner Pope announced that the public hearing would be continued until February 1, 2012.

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

(a) COMMUNITY CORRECTIONS – CONTRACT NO. 11-200

Approved contract #11-200, with the Department of Corrections for Measure 57 Treatment Funding.

(b) PUBLIC WORKS – CONTRACT NO. 11-201

Approved contract #11-201, with Vigil-Agramis, Inc. to provide professional engineering services.

(c) PUBLIC HEALTH – CONTRACT NO. 11-202

Approved contract #11-202, Amendment #3 to Contract #11-57 with Oregon Health Authority for financing Public Health Programs

(d) MENTAL HEALTH – CONTRACT NO. 11-203

Approved contract #11-203, Personal Service Contract between Polk County and Bradley Houck to provide mental health/counseling treatment.

At 9:20 a.m., County Counsel announced that the Board would now meet in Executive Session for the purpose of discussing litigation matters with designated staff and counsel. Although the public will be excluded, no final decision 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.

Commissioner Pope called the meeting back into regular session at 10:02 a.m.

BY CONSENSUS, THE BOARD DIRECTED STAFF TO PROCEED AS DISCUSSED.

Chairman Pope adjourned the meeting at 10:03 a.m.

POLK COUNTY BOARD OF COMMISSIONERS

Craig Pope, Chair

Mike Ainsworth, Commissioner

Jennifer Wheeler, Commissioner

Minutes: Heather Alvarez
Approved: December 7, 2011