

**POLK COUNTY BOARD OF COMMISSIONERS**  
**MINUTES December 14, 2011**

**1. CALL TO ORDER & ATTENDANCE**

At 9:02 a.m., Chairman Pope declared the meeting of the Polk County Board of Commissioners to be in session. Commissioner Wheeler was present, Commissioner Ainsworth was excused. 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 Supervisor  
                                  Dave Doyle, County Counsel

**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.

**3. COMMENTS (for items not on this agenda)**

**4. APPROVAL OF AGENDA**

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

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

**5. APPROVAL OF CONSENT CALENDAR**

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

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

**6. APPROVAL OF MINUTES OF DECEMBER 7, 2011**

**MOTION: COMMISSIONER WHEELER MOVED, COMMISSIONER POPE SECONDED, TO APPROVE THE MINUTES OF DECEMBER 07, 2011.**

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

**7. PUBLIC HEARING – PROPERTY LINE ADJUSTMENT LLA 10-10, COMPREHENSIVE PLAN AMENDMENT PA 10-04 AND ZONE CHANGE ZC 10-04 (BUENA VISTA CEMETERY EXPANSION)**

Jerry Sorte, Planning Supervisor presented the staff report. The application requests the expansion of the Buena Vista Cemetery from the current 3.5 acres to 7.1 acres. There were public hearings held on this application in 2010, at which time the applicant requested the application be remanded back to staff to give them additional time to address some deficiencies. On November 9, 2011, staff recommended denial of the application based on evidence submitted to that date. The Applicant submitted a letter on 12/13/11 indicating that they would like to amend the application, keeping the property line adjustment the same but reducing the area that would be designated public on the Comprehensive Plan map to approximately 1.5 acres. The other 2 acres would remain zoned for farm-use, and are looking for a lessee for the farmland. The applicant requests the hearing be continued for additional time to amend the application. The staff supports the hearing be continued.

Chairman Pope opened the public hearing and asked if anyone wished to testify.

Frank Walker, 1480 Jamestown Street SE, Salem, Oregon 97302, and Ray Godfrey and Mary McDaniel from the Cemetery Board said that the current cemetery has approximately 10 vacant lots left. The Cemetery Board would prefer that the full 3.5 acres for the cemetery, since the property would have to be surveyed and it is cost effective to do the survey only once. Also, there is a financial issue if the Cemetery Board, as a non-profit, leases a portion of the property for income.

Chairman Pope asked if there was anyone else who would like to testify. Hearing none, the Board agreed to continue the public hearing until Wednesday, February 8, 2011.

**8. PUBLIC HEARING – LEGISLATIVE AMENDMENT 11-03: WINERY STANDARDS UPDATE**

Jerry Sorte, Planning Supervisor presented the staff report. The proposed amendments are intended to bring the Polk County Zoning Ordinance consistent with the Oregon Revised Statutes and implement HB3280. Staff would do this by creating a new chapter of the zoning ordinance (chapter 117) that would be specific to wineries. This will place all the standards in a centralized location for easy updating in the future. Staff recommends the Board approve Legislative Amendment 11-03.

Chairman Pope opened the public hearing and asked if anyone wished to testify. Hearing none, Chairman Pope closed the public hearing.

**MOTION: COMMISSIONER WHEELER MOVED, COMMISSIONER POPE SECONDED, TO ADOPT PROPOSED CHANGES TO THE POLK COUNTY ZONING ORDINANCE IMPLEMENTING HB3280.**

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

**9. PUBLIC HEARING – REQUEST TO ANNEX REAL PROPERTY INTO THE SW POLK COUNTY RURAL FIRE PROTECTION DISTRICT**

David Doyle, County Counsel presented an annexation request for 20 acres of real property on Valsetz Rd. into the SW Polk County Rural Fire Protection District. The Fire Protection District is in agreement of this request.

Chairman Pope opened the public hearing and asked if anyone wished to testify.

Jarrold Howard of 5212 Callie St. SE, Salem, OR 97306, the landowner, informed the Board that he has submitted an application for a replacement structure on the property, but in order to be able to replace the structure he needs to be annexed into the Fire Protection District.

Doug Schmidt, County Assessor explained that as soon as the annexation request is approved and submitted, the property will be annexed. There is no waiting period.

Chairman Pope asked if anyone else wished to testify. Hearing none, Chairman Pope closed the public hearing.

**MOTION: COMMISSIONER WHEELER MOVED, COMMISSIONER POPE SECONDED, TO APPROVE THE ANNEXATION REQUEST.**

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

Dave Doyle will have a order for the annexation for the Board to sign at the next Board of Commissioner's meeting.

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

**(a) RESOLUTION NO. 11-19 – WORKERS' COMPENSATION**

Adopted Resolution #11-19 in the matter of Extending Polk County Workers' Compensation Coverage to Volunteers of Polk County.

**(b) MENTAL HEALTH – CONTRACT NO. 11-209**

Approved contract #11-209, service contract with Tamara Lindsey for Behavior Consultation Services.

**(c) BUDGET COMMITTEE/COMPENSATION BOARD APPOINTMENT**

Appointed Norbert Hartmann (position 2) to the Polk County Budget Committee/ Compensation Board, term to expire December 31, 2013.

**(d) BUDGET COMMITTEE/COMPENSATION BOARD RE-APPOINTMENT**

Re-Appointed Denny Wilfong (position 3) to the Polk County Budget Committee/ Compensation Board, term to expire December 31, 2014.

At 9:36 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.

Chairman Pope called the meeting back into regular session at 10:39 a.m.

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

Chairman Pope adjourned the meeting at 10:40 a.m.

**POLK COUNTY BOARD OF COMMISSIONERS**

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Craig Pope, Chair

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Mike Ainsworth, Commissioner

Minutes: Heather Alvarez  
Approved: December 21, 2011

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Jennifer Wheeler, Commissioner