

**POLK COUNTY BOARD OF COMMISSIONERS**  
**MINUTES February 8, 2012**

**1. CALL TO ORDER & ATTENDANCE**

At 9:02 a.m., Chairman Ainsworth declared the meeting of the Polk County Board of Commissioners to be in session. Commissioner Pope 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  
                              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.

The Board of Commissioners will attend a meeting of the Board of Property Tax Appeals (BOPTA), on Thursday, February 9, 2012 at 9:00a.m. in the Commissioners conference room.

The Board of Commissioners will attend the Polk County Fair Board annual work session on Saturday, February 11, 2012 at 9:00 am at the Polk County Fairgrounds and Event Center, 520 S Pacific Hwy. W, Rickreall, OR.

The Extension Tax District Board of Directors will meet on Wednesday, February 15, 2012 at 10:00 a.m. in the Polk County Courthouse Conference Room.

The Board of Commissioners will conduct an inspection of the Polk County Jail, Wednesday, February 22, 2012 at noon.

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

**4. APPROVAL OF AGENDA**

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

**MOTION PASSED UNANIMOUSLY.**

**5. APPROVAL OF CONSENT CALENDAR**

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

**MOTION PASSED UNANIMOUSLY.**

**6. APPROVAL OF MINUTES OF FEBRUARY 1, 2012**

**MOTION: COMMISSIONER POPE MOVED, COMMISSIONER WHEELER SECONDED, TO APPROVE THE MINUTES OF FEBRUARY 1, 2012.**

**MOTION PASSED UNANIMOUSLY.**

**7. PUBLIC HEARING – LEGISLATIVE AMENDMENT LA 11-02**

Austin McGuigan, Community Development Director and Jerry Sorte, Planning Supervisor presented the staff report. The application consists of a property line adjustment, a comprehensive plan amendment and a zoning map amendment, which, if approved, would expand the Buena Vista Cemetery property from its current size of 3.5 acres to 7.12 acres. The neighboring property to the south would be reduced from 41.95 acres to 38.4 acres.

This application was originally submitted on March 4, 2010, at which time the applicant requested the entire expanded parcel be re-designated for cemetery use. The Hearings Officer recommended denial of the application due to deficiencies. The first public hearing was held on August 25, 2010, then continued until September 8, 2010, at which time the applicant requested the application be remanded back to them to address concerns. The next public hearing was held on December 14, 2011, at which time the applicant requested the hearing be continued in order to revise the application to comply with the review and decision criteria. The applicant submitted a revised application on January 18, 2012, designating 1.59 acres of the expanded cemetery parcel be used for cemetery purposes, and the remaining portion would be used for farm use.

After Staff reviewed the revised application, they recommend that the area that would be used for cemetery uses be zoned 'public and private cemeteries', and the remaining land zoned EFU.. Also, the zoning ordinance lists a dwelling for the Watchman in the cemetery zone, but since, the applicant has not demonstrated a need for the Watchman, Staff recommends applying a limited use overlay which would just allow the cemetery use and not the Watchman facilities. Staff also requested the applicant provide a plottable map of the 1.59 acres that would be used for cemetery use.

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

Frank Walker, 1480 Jamestown Street SE, Salem, Oregon 97302, testified that this cemetery is unique: 105 of the last 107 burials have been residents of the immediate area and their descendents. Mr. Walker reported that the Cemetery Board has a signed lease agreement with a party interested in using the remaining farmland area as an apiary.

Ray Godfrey, 10630 Buena Vista Rd., a member of the Cemetery Board requested the Commissioners approve the application so the Board can continue to provide burial space for the public.

Chairman Ainsworth asked if there was anyone else who would like to testify. Hearing none, Chairman Ainsworth closed the public hearing..

**MOTION: COMMISSIONER WHEELER MOVED, COMMISSIONER POPE SECONDED, TO ADOPT THE FINDINGS AND RECOMMENDATIONS OF STAFF SUBJECT TO THE CONDITIONS AS PRESENTED FOR PROPERTY LINE ADJUSTMENT LLA 10-10, COMPREHENSIVE PLAN AMENDMENT PA 10-04, AND ZONE CHANGE ZC 10-04 FOR HILLTOP CEMETERY DISTRICT.**

**MOTION PASSED UNANIMOUSLY.**

Dave Doyle, County Counsel announced that the County's practice with regard to any subsequent appeal is that the Cemetery Board is on their own to defend this decision.

Chairman Ainsworth adjourned the meeting at 9:23 a.m.

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

**(a) FAIR BOARD APPOINTMENT - ORDER NO. 12-05**

Adopted Order #12-05 in the matter of appointing members to the Polk County Fair Board.

**(b) SHERIFF'S OFFICE – CONTRACT NO. 12-09**

Approved contract #12-09, with the Oregon Military Department for the 2011 State Homeland Security Grant Award.

**POLK COUNTY BOARD OF COMMISSIONERS**

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Mike Ainsworth, Chair

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Craig Pope, Commissioner

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Jennifer Wheeler, Commissioner

Minutes: Heather Alvarez  
Approved: February 15, 2012