

POLK COUNTY BOARD OF COMMISSIONERS
MINUTES July 11, 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
 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 ongoing, 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 Department Head meeting on Thursday, July 12, 2012 at 8:30 a.m. in the Courthouse Conference room.

The Board of Commissioners will attend a West Oregon Forest Protective Association summer tour on Friday, July 13, 2012, departing at 9:00 am from the Toledo Department of Forestry Office, 763 NW Forestry Rd., Toledo, OR 97391.

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 JUNE 27, 2012

MOTION: COMMISSIONER POPE MOVED, COMMISSIONER WHEELER SECONDED, TO APPROVE THE MINUTES OF JUNE 27, 2012.

MOTION PASSED UNANIMOUSLY.

7. PUBLIC HEARING - ORDINANCE 12-04

Chairman Ainsworth opened the public hearing.

David Doyle, County Counsel presented Ordinance 12-04 in the matter of enacting amendments to Chapter 42 of the Polk County Code of Ordinances. Doyle explained that currently, the only options deputies have are to issue warnings or a criminal citation for livestock at large. This Ordinance would add a code enforcement option for civil sanction which can be cited to either the Dog Board or Circuit Court. If the Dog Board issues a fine, the County would collect it; but if it is not paid, the order would have to be turned into a Circuit Court judgment for enforcement powers.

Jim Clawson, President of the Polk County Livestock Association testified in support of the amendment. However, he expressed concern that the proposed amendment is not clear where the Dog Board would fit in and what the process for the citation would be. The Livestock Association would like to clarify what 'adequate fencing' is, as referenced in the amendment.

Ray Steele with the Polk County Farm Bureau testified that the amendment should include the State Statute (ORS 607-700) regarding 'adequate fencing'. Mr. Steele explained that currently, the Oregon Department of Agriculture is the only entity that can determine what is an adequate fence for cattle and horses, and who is responsible for paying for that inspection. The Board was concerned that most of the livestock that gets out are not cattle and livestock, and 'adequate fencing' is different for each type of animal.

Paul Johnson with the Dog Board and the Livestock Association also testified that 'adequate fencing' should be more clearly defined.

Austin McGuigan, Community Development Director cautioned the Board that the more defined 'adequate fencing' is in the Ordinance, the more burden that puts on the landowners to prove that a fence is adequate. David Doyle recommends that the Dog Board be the one to determine adequate fencing, and if a landowner does not agree with the determination, then the landowner could pay for an inspection by the Oregon Department of Agriculture, and if the finding were different from the Dog Board's finding, then the fine would be removed.

Chairman Ainsworth asked if anyone else wished to testify. Hearing none, he recessed the public hearing until September 12, 2012.

At 9:44 a.m., Chairman Ainsworth asked if there was need for an Executive Session. Staff answered that there was not and the meeting was adjourned.

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

(a) RESOLUTION NO. 12-09 – INTER-FUND LOANS

Adopted Resolution #12-09 in the matter of authorizing temporary inter-fund loans when funds experience a short term deficit cash situation.

(b) RESOLUTION NO. 12-10 – MASTER FEE SCHEDULE

Adopted Resolution #12-10 in the matter of fees for services performed by County agencies.

(c) PLANNING COMMISSION BOARD APPOINTMENT

Appointed Dennis Brown (position 5) to the Polk County Planning Commission, term to expire June 30, 2015.

(d) SHERIFF – CONTRACT NO. 12-88

Approved Cont #12-88 (Amendment 4 to Cont #06-184) with Pacific Wave Communications for the Eagle Crest Radio Tower Lease.

- (e) **MENTAL HEALTH – CONTRACT NO. 12-91**
Approve Conted #12-91 with the West Valley Hospital for the provision of tb chest x-rays services and liver function tests.
- (f) **MENTAL HEALTH – CONTRACT NO. 12-95**
Approved Cont #12-95 with Allan Rainwater to provide after-hours crisis on-call services.
- (g) **MENTAL HEALTH – CONTRACT NO. 12-96**
Approved Cont #12-96 with Ann-Marie Bandfield to provide after-hours crisis on-call services.
- (h) **MENTAL HEALTH – CONTRACT NO. 12-97**
Approved Cont #12-97 with Debra Wells to provide after-hours crisis on-call services.
- (i) **MENTAL HEALTH – CONTRACT NO. 12-98**
Approved Cont #12-98 with Dovie Desirey to provide after-hours crisis on-call services.
- (j) **MENTAL HEALTH – CONTRACT NO. 12-99**
Approved Cont #12-99 with Kevin Rentz to provide after-hours crisis on-call services.
- (k) **MENTAL HEALTH – CONTRACT NO. 12-100**
Approved Cont #12-100 with Dallas School District to provide three mental health counselors.
- (l) **MENTAL HEALTH – CONTRACT NO. 12-101**
Approved Cont #12-101 with Bradley Houck to provide mental health/counseling.
- (m) **MENTAL HEALTH – CONTRACT NO. 12-102**
Approved Cont #12-102 with Michael Oyster to provide after-hours crisis on-call services.
- (n) **MENTAL HEALTH – CONTRACT NO. 12-103**
Approved Cont #12-103 with Tim Taylor to provide psychiatric services and consultation.
- (o) **PCCCF – CONTRACT NO. 12-104**
Approved Cont #12-104 with Family Building Blocks to provide services to the Relief Nursery.
- (p) **LABOR AGREEMENT**
Approved the labor agreement with the Deputy District Attorneys.
- (q) **RATIFIED VALID VOUCHERS, LICENSES, PERSONNEL ACTIONS, PAYROLL, ETC., FOR THE MONTH OF JUNE, 2012.**

POLK COUNTY BOARD OF COMMISSIONERS

Mike Ainsworth, Chair

Craig Pope, Commissioner

Minutes: Heather Alvarez
Approved: July 18, 2012

Jennifer Wheeler, Commissioner