

POLK COUNTY BOARD OF COMMISSIONERS
MINUTES January 9, 2013

1. CALL TO ORDER & ATTENDANCE

At 9:00 a.m., Chair Wheeler declared the meeting of the Polk County Board of Commissioners to be in session. Commissioner Ainsworth and Commissioner Pope 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
 Jerry Sorte, Planning Manager
 Austin McGuigan, Community Development Director

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 the Association of Oregon Counties Legislative Committee on Monday, January 14, 2013 at noon, at the Local Government Center, 1201 Court St., Salem, OR 97301.

The Board of Commissioners will conduct a public hearing to receive public comment on the Ambulance Service Advisory Committee Plan on Wednesday, January 16, 2013 at 9:00 a.m. in the Courthouse conference room, 850 Main Street, Dallas, Oregon.

The Board of Commissioners will conduct a public hearing to receive public comment on proposed Ordinance 13-01 in the matter of enacting amendments to Chapter 40 of the Polk County Code of Ordinances on Wednesday, January 16, 2013 at 9:00 a.m. in the Courthouse conference room, 850 Main Street, Dallas, Oregon.

3. COMMENTS (for items not on this agenda)

4. APPROVAL OF AGENDA

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

MOTION PASSED UNANIMOUSLY.

5. APPROVAL OF CONSENT CALENDAR

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

MOTION PASSED UNANIMOUSLY.

6. APPROVAL OF MINUTES OF JANUARY 2, 2013

MOTION: COMMISSIONER POPE MOVED, COMMISSIONER AINSWORTH SECONDED, TO APPROVE THE MINUTES OF JANUARY 2, 2013.

MOTION PASSED UNANIMOUSLY.

7. PUBLIC HEARING - COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

Chair Wheeler opened the public hearing. Jerry Sorte, Planning Manager presented the staff report. The application requests a Comprehensive Plan amendment from agriculture designation to Farm/Forest and Zoning map amendment from Exclusive Farm Use (EFU) to Farm/Forest Overlay for the 1,273 acre tract. The applicant has received a conditional use permit contingent upon this land use change to operate a sawmill on the property. On November 27, 2012, a public hearing was held and the Hearings Officer's recommendation was to approve the application.

Chair Wheeler asked if anyone wished to testify. Ben Deumling of 4550 Oak Grove Rd, Rickreall, OR 97371, Zena Forest LLC representative was on hand to answer questions. There was no other testimonies. Chair Wheeler closed the public hearing.

MOTION: COMMISSIONER POPE MOVED, COMMISSIONER AINSWORTH SECONDED, TO ADOPT COMPREHENSIVE PLAN AMENDMENT PA 11-01 AND ZONE CHANGE ZC 11-02 AS PRESENTED.

MOTION PASSED UNANIMOUSLY.

Staff will prepare a Board Ordinance for this comprehensive plan amendment and zone change for adoption on the consent calendar on January 23, 2013.

7. PUBLIC HEARING - LEGISLATIVE AMENDMENT

Chair Wheeler opened the public hearing. 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 Chapter 136 (Exclusive Farm Use Zone), Chapter 138 (Farm/Forest and Farm/Forest overlay Zones), and Chapter 177 (Timber Conservation Zone). The proposed updates will allow for greater economic opportunities within the above resource zones, while maintaining strong protection of resource land and protections for neighboring farms and forest operations that are the trademarks of Oregon Statewide Planning Goals 3 and 4. The Planning Commission held a public hearing on October 23, 2012 and recommended that the Board adopt the proposed amendments.

Jerry explained that these proposed changes would create a "safe harbor" to allow food service as a commercial activity in conjunction with farm use on land zoned for exclusive farm use (EFU) and farm forest use (F/F). The proposed "safe harbor" allows for a 500 square foot restaurant on farm lands as long as products from the farm are featured in the menu items.

Chair Wheeler opened the hearing for public testimony and asked if there was any testimony from the public. The Friends of Polk County submitted a letter from the 1000 Friends of Oregon, supporting the proposed amendments, but requested the Board wait on moving forward on the

amendments until the Yamhil County vs. Friends of Yamhill County case is decided on through the Court of Appeals, scheduled for March 19, 2013.

MOTION: COMMISSIONER POPE MOVED, COMMISSIONER AINSWORTH SECONDED, TO CONTINUE THE PUBLIC HEARING UNTIL APRIL 10th, 2013.

MOTION PASSED UNANIMOUSLY.

At 9:16 a.m., Chair Wheeler 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) HUMAN RESOURCES - NEW JOB DESCRIPTION & EMPLOYMENT CONTRACT

Approved new job description for an Administrative Services Director and employment contract with Matt Hawkins.

POLK COUNTY BOARD OF COMMISSIONERS

Jennifer Wheeler, Chair

Craig Pope, Commissioner

Mike Ainsworth, Commissioner

Minutes: Heather Alvarez
Approved: January 16, 2013