

POLK COUNTY BOARD OF COMMISSIONERS
MINUTES February 19, 2014

1. CALL TO ORDER & ATTENDANCE

At 9:00 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

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 Fair Board annual planning meeting on Saturday, February 22, 2014 at 9am at the Polk County Fairgrounds.

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 FEBRUARY 12, 2014

**MOTION: COMMISSIONER AINSWORTH MOVED, COMMISSIONER WHEELER
 SECONDED, TO APPROVE THE MINUTES OF FEBRUARY 12, 2014.**

MOTION PASSED UNANIMOUSLY.

7. PUBLIC HEARING - ORDINANCE 14-02

County Counsel explained that the purpose of this public hearing was to receive public testimony regarding proposed amendments to Chapter 40 of the Polk County Code of Ordinances. The amendments would better guide planning staff on applications for medical marijuana dispensaries. Austin McGuigan, Community Development Director explained that this amendment does not prohibit nor allow for medical marijuana dispensaries, but instead allows applicants a process to show similar use determination for zoning purposes. Austin also explained that there is a bill at the State level that if passed would prohibit local regulation of Medical Marijuana Dispensaries, but if it does pass, the Association of Oregon Counties plans to sue to get it reversed on behalf of County Government.

Commissioner Pope opened the Public Hearing. Sheriff Wolfe testified that the bill at the State level is opposed by the Sheriff's Association, and Sheriff Wolfe feels that the County should wait for the outcome of that bill before taking a stand, but he does not oppose the amendment. Marty Silbernagel, Community Corrections Director testified that the State Corrections Director Association is opposed to the state bill also, and Marty is in support of the County putting something in place prior to a decision at the state level to help regulate medical marijuana dispensaries. Steve Pickering, citizen, testified in support of the amendment. Mr. Pickering said that Cities are already putting ordinances in place to prohibit the dispensaries, which drives the dispensaries into the counties, so the County needs to have something in place to address this issue as well. Commissioner Pope asked if anyone else wished to testify. Hearing none, Commissioner Pope closed the public hearing.

MOTION: COMMISSIONER AINSWORTH MOVED, COMMISSIONER WHEELER SECONDED, TO APPROVE ORDINANCE 14-02 IN THE MATTER OF ENACTING AN AMENDMENT TO CHAPTER 40 OF THE POLK COUNTY CODE OF ORDINANCES.

MOTION PASSED UNANIMOUSLY.

At 9:20 a.m., County Counsel announced that the meeting was recessed to Executive Session for the purpose of discussing labor negotiations pursuant to ORS 192.660(2)(d). Although the public will be excluded, no vote 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.

Chair Pope called the meeting back into regular session.

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

Chair Pope adjourned the meeting at 09:40.

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

(a) JAIL - CONTRACT 14-17

Approve Contract 14-17 with Mark Rose for medical doctor services to the Jail Facility.

POLK COUNTY BOARD OF COMMISSIONERS

Craig Pope, Chair

Jennifer Wheeler, Commissioner

Mike Ainsworth, Commissioner

Minutes: Heather Alvarez
Approved: February 26, 2014