

**POLK COUNTY BOARD OF COMMISSIONERS**

**DATE & TIME:** March 26, 2014, 9:00 a.m.

**LOCATION:** Polk County Courthouse, Dallas, Oregon

THE LOCATION OF THIS MEETING IS ADA ACCESSIBLE. PLEASE ADVISE THE BOARD (503-623-8173), AT LEAST 24 HOURS IN ADVANCE, OF ANY SPECIAL ACCOMMODATIONS NEEDED TO ATTEND OR PARTICIPATE IN THE MEETING.

**PAGE:**

**AGENDA ITEMS**

1. **CALL TO ORDER AND NOTE OF ATTENDANCE**
2. **ANNOUNCEMENTS**
  - (a) 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.
  - (b) 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.
  - (c) The Board of Commissioners will meet in Executive Session Friday, March 28, 2014 beginning at 10:00 a.m. to consider the employment of a public officer, employee, staff member or individual agent pursuant to ORS 162.660(2)(a).
  - (d) Budget Hearings for Fiscal Year 2014-2015 will be held daily from Monday, March 31 through Thursday, April 3, 2014 from 8:15 a.m. to 5:00 p.m. in the Courthouse conference room.
  - (e) There will be no Board of Commissioners meetings Tuesday, April 1, 2014 or Wednesday, April 2, 2014 due to Budget Hearings.
  - (f) The Board of Commissioners will attend a meeting of the Council of Forest Trust Land Counties on Friday, April 4, 2014 beginning at 9:30 a.m. at the Department of Forestry Headquarters, Building C/Tillamook room, 2600 State St., Salem, Or.
  - (g) The Board of Commissioners will conduct a public hearing to receive public comment on proposed Ordinance 14-03 in the matter of enacting an ordinance imposing a moratorium on the operation of registered medical marijuana facilities within the unincorporated area of Polk County, Oregon on Wednesday, April 16, 2014 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**
5. **APPROVAL OF CONSENT CALENDAR**
6. **APPROVAL OF MINUTES OF MARCH 19, 2014**
7. **PUBLIC HEARING - LEGISLATIVE AMENDMENT 13-02**

Receive comment on proposed Legislative Amendment 13-02: Updates to Bed and Breakfast facilities in residential zones and zoning interpretation clarification.  
(Jerry Sorte, Planning Manager)

8. **PUBLIC HEARING - LEGISLATIVE AMENDMENT 14-01**  
Receive comment on proposed Legislative Amendment 14-01: Transportation Systems Plan text update.  
(Jerry Sorte, Planning Manager)
9. **PUBLIC HEARING - LEGISLATIVE AMENDMENT 14-02**  
Receive comment on proposed Legislative Amendment 14-02: Gas stations in three unincorporated community commercial zones.  
(Jerry Sorte, Planning Manager)
10. **BUDGET COMMITTEE APPOINTMENT**  
Consider appointing Vern Wells to Position #3 of the Budget Committee.  
(Greg Hansen, Administrative Officer)

#### **CONSENT CALENDAR**

- (a) **PUBLIC WORKS - Contract No. 14-30**  
Approve contract #14-30 with FEI Testing & Inspection, Inc. for on-call testing services.  
(Todd Whitaker, Public Works Director)
- (b) **PUBLIC WORKS - Contract No. 14-31**  
Approve contract #14-31 with Carlson Testing, Inc. for on-call testing services.  
(Todd Whitaker, Public Works Director)
- (c) **JUVENILE - Contract No. 14-32**  
Approve contract #14-32 with Marion County for two juvenile detention beds for fiscal year 2014-2015.  
(Marty Silbernagel, Juvenile Director)

**THE BOARD OF COMMISSIONERS WILL MEET IN EXECUTIVE SESSION PURSUANT TO ORS 192.660.**

**ADJOURNMENT**

POLK COUNTY PUBLIC MEETINGS AND PUBLIC HEARINGS  
GUIDELINE FOR CITIZENS

REGULAR MEETING AGENDA

Regular meetings of the Polk County Board of Commissioners convene at 9:00 a.m. each Wednesday morning. Any person wishing to bring a matter before the Board at one of these meetings may do so by mailing or delivering written notice, concisely describing the nature of the item, to the Board of Commissioners, Polk County Courthouse, Dallas, Oregon 97338, by noon on the preceding Thursday. Unless otherwise announced, meetings are held in the Main Conference Room of the Courthouse.

APPEARANCE OF INTERESTED PARTIES

The Board sets aside time at each regular meeting for comment by the public on subjects not appearing on the Agenda. Individuals may come forward and make any statement they wish, but not exceed three (3) minutes in length, except as is required to give concise answers to questions from Board members. If the subject will require a lengthier presentation, or merits inclusion as an item on the agenda of a future meeting, the Board shall schedule accordingly.

PUBLIC HEARING FORMAT  
Land Use

1. Chairperson opens hearing.
  - (a) Reading of hearing request or appeal statement.
  - (b) Call for abstentions (ex parte contact or conflict of interest).
2. County staff presents background, summary and its recommendation (20-minute limit).
3. Applicant (Appellant) presents his/her case (15-minute limit).
4. Public testimony. Note that all testimony and evidence must be directed toward the applicable factual and legal criteria as identified in the record and/or during this hearing. Do not repeat previous testimony. Simply note for the record that you are in agreement with that earlier testimony. Your time to present testimony is limited. FAILURE TO RAISE AN ISSUE IN THIS HEARING, IN PERSON OR BY LETTER, OR FAILURE TO PROVIDE ADEQUATE SPECIFICITY TO AFFORD THE BOARD AN OPPORTUNITY TO RESPOND TO THE ISSUE MAY PRECLUDE LATER APPEAL TO LUBA ON THAT ISSUE.
  - (a) Individuals in favor of the application or appeal.
  - (b) Individuals against the application or appeal. At the discretion of the Chairman, an attorney, consultant, or other designated representative of two or more individuals may be allowed the combined time for each represented individual who does not speak, not to exceed 20 minutes. The Chairman may require proof of designation.
5. Rebuttal by Applicant (Appellant - 10-minute limit).
6. Questions from Board (discussion limited to individuals questioned by the Board).
  - (a) Staff.
  - (b) Applicant (Appellant).
  - (c) Individuals testifying.
7. Chairman closes hearing and announces closing of Record.
8. Chairman announces date for deliberation and decision.
9. The Board's decision is deemed the final decision of Polk County. It may be appealed to LUBA within 21 days of its issuance in written form. The address and phone number of LUBA may be obtained from the Polk County Community Development Department and will also appear on the Notice of Decision which will be mailed to all persons who testify, submit comments, or print their name and address on the hearing attendance sheet in the back of the hearing room.