

POLK COUNTY BOARD OF COMMISSIONERS
MINUTES July 15, 2015

1. CALL TO ORDER & ATTENDANCE

At 9:04 a.m., Commissioner Ainsworth declared the meeting of the Polk County Board of Commissioners to be in session. Commissioner Wheeler and Commissioner Pope were present.

Staff present: Greg Hansen, Administrative Officer
 Matt Hawkins, Administrative Services Director
 Morgan Smith, 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 hold a public hearing to hear public testimony on Planning Amendment 1501 and Conditional Use application 15-02 for Luckiamute Valley Charter School on Wednesday, Jul 22, 2015 at 9am in the Polk County Courthouse Conference Room.

The Board of Commissioners will hold a public hearing to hear public testimony on the Polk County Housing Rehab Community Development Block Grant Application on Wednesday, Jul 29, 2015 at 9am in the Polk County Courthouse Conference Room.

3. COMMENTS (FOR ITEMS NOT ON THIS AGENDA)

4. APPROVAL OF AGENDA

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

MOTION PASSED UNANIMOUSLY.

5. APPROVAL OF CONSENT CALENDAR

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

MOTION PASSED UNANIMOUSLY.

6. APPROVAL OF MINUTES

MOTION: COMMISSIONER WHEELER MOVED, COMMISSIONER POPE SECONDED, TO APPROVE THE MINUTES OF JULY 8, 2015.

MOTION PASSED UNANIMOUSLY.

At 9:05 County Counsel announced that the meeting was recessed to Executive Session pursuant to ORS 192.660(2)(d) to conduct deliberations with persons designated to carry on labor negotiations. Although the public is excluded, no vote may be taken in executive session. Written minutes from the meeting are on file in the Board's office, but are confidential under ORS 192.660.

Commissioner Ainsworth called the meeting back into regular session.

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

Commissioner Ainsworth adjourned the meeting at 9:40 am.

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

- (a) **SHERIFF'S OFFICE – CONTRACT NO. 15-129**
Approve Contract No. 15-129 with Chris Schlegel for background investigation services.
- (b) **BEHAVIORAL HEALTH – CONTRACT NO. 15-130**
Approve Contract No. 15-130 with Martha Ann Bowersox for mental health on-call crisis services.
- (c) **BEHAVIORAL HEALTH – CONTRACT NO. 15-131**
Approve Contract No. 15-131 with Kevin Rentz for mental health on-call crisis services.
- (d) **BEHAVIORAL HEALTH – CONTRACT NO. 15-132**
Approve Contract No. 15-132 with Northwest Human Services for a Polk County 24/7 Crisis & Information hotline.
- (e) **WEST VALLEY HOUSING AUTHORITY REAPPOINTMENT**
Reappoint LaVay Jeffries and James Dougherty to the West Valley Housing Authority Board.

POLK COUNTY BOARD OF COMMISSIONERS

Mike Ainsworth, Chair

Jennifer Wheeler, Commissioner

Craig Pope, Commissioner



POLK COUNTY

COMMUNITY DEVELOPMENT

POLK COUNTY COURTHOUSE * DALLAS, OREGON 97338
(503) 623-9237 * FAX (503) 623-6009

AUSTIN MCGUIGAN
Director

MEMORANDUM

TO: Board of Commissioners
FROM: Austin McGuigan, Director
Polk County Community Development
DATE: July 13, 2015
SUBJECT: Conditional Use CU 15-02 and Plan Amendment PA 15-01

July 22, 2015 Agenda

ISSUE:

Should the Board of Commissioners approve the application to expand an existing K-8 school, Luckiamute Valley Charter Schools Bridgeport School site, by approving a comprehensive plan amendment that would permit a multi-purpose building with a design capacity of more than 100 occupants within 3 miles of the Falls City urban growth boundary (UGB)?

RECOMMENDATION:

Staff recommends that the Board of Commissioners consider Hearings Officers recommendation to approve the application and, after conducting a public hearing, move to adopt the findings of the Hearings Officer and approve the application.

BACKGROUND:

The Applicant is requesting to expand an existing K-8 school, Luckiamute Valley Charter Schools Bridgeport School site, and a comprehensive plan amendment that would permit a multi-purpose building with a design capacity of more than 100 occupants within 3 miles of the Falls City UGB. The school site consists of approximately 4.8 acres and is zoned Public Education (PE) and Exclusive Farm Use (EFU). Bridgeport School has been operated on the subject property as a rural school since the late 1800's. The Applicant has operated a charter school on the property since 2001. The original school site consists of 1.0 acre (tax lot 600) zoned PE and the surrounding 3.76 acres (tax lots 501, 700 and 801) are zoned EFU. The proposed school expansion would occur on Tax Lot 501 within the EFU zone.

The review and decision criteria for a Polk County Comprehensive Plan (PCCP) text amendment are provided under Polk County Zoning Ordinance (PCZO) Section 115.050. Under this provision, the Hearings Officer conducts a public hearing pursuant to PCZO 115.030 and makes a recommendation to the Polk County Board of Commissioners. The Polk County Board of Commissioners then conduct a public hearing pursuant to PCZO 115.030 and make a final local decision. The review and decision criteria for a conditional use are listed in PCZO Sections 119.070, 136.050(II), 136.060, and 136.065. Staff findings and analysis are included in the Hearings Officers Staff Report.

The Hearings Officer conducted a duly noticed public hearing on May 26, 2015. An opportunity was provided for members of the public to submit oral and written testimony. The Hearings Officer issued a recommendation to approve the application on June 04, 2015.

Notice for this application and the public hearing before the Polk County Board of Commissioners was mailed to area property owners and governmental agencies on June 18,

2015. The notice announced the Board of Commissioners hearing date of July 22, 2015. Notice of the hearing appeared in the Polk County *Itemizer-Observer* newspaper on June 17, 2015. Notice was posted on the subject tract on July 1, 2015. Notice was provided to the Oregon Department of Land Conservation and Development (DLCD) on March 16, 2015. Notification was provided pursuant to Polk County Zoning Ordinance Chapter 111.340 through 111.370.

DISCUSSION / ALTERNATIVES:

1. Adopt the findings of the Hearings Officer and Approve CU 15-02 and PA 15-01, subject to the conditions identified in the Hearings Officer Recommendation; or
2. Other.

FISCAL IMPACTS:

No fiscal impacts to the County have been identified.

EXHIBITS:

- A Hearings Officers Recommendation

RECEIVED
JUN 08 2015

ATTACHMENT A

POLK COUNTY
COMMUNITY DEVELOPMENT

**BEFORE THE PLANNING DIVISION
FOR POLK COUNTY, OREGON**

In the Matter of the Application of)
Luckiamute Valley Charter Schools)

Conditional Use 15-02
Plan Amendment 15-01

SUMMARY OF PROCEEDINGS

This matter arose on the application of Luckiamute Valley Charter Schools, Bridgeport Site, to expand an existing K-8 school, Bridgeport School Site, for an amendment to the Polk County Comprehensive Plan (PCCP) amendment for a multi-purpose building with a design capacity of more than 100 occupants within three miles of an urban growth boundary. The subject parcel contains approximately 4.8 acres. The original school site consists of one acre (tax lot 600) now zoned Public Education (PE) and the surrounding 3.76 acres (tax lots 501, 700 and 801) are zoned Exclusive Farm Use (EFU). The application was submitted and deemed complete on February 11, 2015.

The subject parcel is located at 17475 Bridgeport Road, Dallas, Oregon 97338, and is legally described as T8S, R6W, Section 26, tax lots 501, 600, 700 and 801, and is owned by Luckiamute Valley Charter Schools. The applicable review and decision criteria are Polk County Zoning Ordinance (PCZO) 115.050, 119.070, 136.050(II), 136.060 and 136.065. The proposed school expansion would occur on Tax Lot 501 within the EFU zone. The Luckiamute Valley Charter Schools Bridgeport School includes the original one-acre site (Tax Lot 600) designated as Public Lands under the PCCP and zoned Public Education (PE) and an additional 3.76 acres (adjacent Tax Lots 501, 700 and 801) designated as Agriculture under the PCCP and zoned EFU. Tax Lot 600 contains the main school classroom building and three modular classroom buildings with a total of eight classrooms and a covered play-shed, and Tax Lot 700 contains a modular office building.

The school property was the subject of two land use actions in 2014: A Polk County Planning conditional use approval (CU 14-07) that authorized the siting of the modular office building on Tax Lot 700; and, a property line adjustment approval (LLA 14-38) which added the area now identified as Tax Lot 501.

Based on a review of Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, (FIRM) panel number 41053C0360F, dated December 19, 2006, the subject tract is located inside the 100-year floodplain of the Little Luckiamute River. Based on a review of the Polk County Significant Resource Areas (SRA) Map, the Little Luckiamute River is a significant fish bearing stream. According to the National Wetlands Inventory (NWI) Map, the Little Luckiamute River is also a riparian corridor. Based on the applicant's plot plan, the proposed multi-use facility would not be located within the riparian setback area. Any development activity that is identified as a conflicting use in PCZO 182.070(C) within 100 feet of the Little Luckiamute River (the riparian setback area) may be prohibited or require additional permitting. Staff recommended that the applicant contact the Polk County Planning Division prior to any development in proximity to that riparian setback area. There are no inventoried historic structures or Willamette River Greenway areas located on the subject property.

As indicated above, the subject property is designated Public Lands/Agriculture in the PCCP, and zoned PE/EFU. All surrounding properties are designated Agriculture and zoned EFU.

The subject tract has frontage on Bridgeport Road, a minor collector as defined in the *Polk County Transportation Systems Plan*. Water is provided by the Luckiamute Domestic Water Cooperative, and there is an on-site septic system.

Notice for this application and the public hearing before the Polk County Hearings Officer was mailed to area property owners and governmental agencies on April 29, 2015. The notice announced the Hearings Officer's hearing date of May 26, 2015. Notice of the hearing appeared in the Polk

County *Itemizer-Observer* newspaper on May 6, 2015. Notice was posted on the subject tract on May 4, 2015. Notice was provided to the Oregon Department of Land Conservation and Development (DLCD) on March 16, 2015. Notification was provided pursuant to Polk County Zoning Ordinance Chapter 111.340 through 111.370.

PRE-HEARING WRITTEN COMMENTS

No written comments were received prior to the public hearing.

PUBLIC HEARING

A duly advertised public hearing was held in the Polk County Courthouse on May 26, 2015. There were no objections as to notice, jurisdiction, or conflict of interest. Staff recited the applicable review and decision criteria, and recommended approval. The Hearings Officer announced that he had no personal interest in the outcome of the matter. Applicant was represented by its attorney, Lane Shetterly of Dallas, Oregon, who endorsed the staff report and recommendation. No one else appeared to testify on the matter. The Hearings Officer then declared the record closed, and adjourned the meeting.

Robert W. Oliver, Polk County Hearings Officer, presided. He was given authority by the Polk County Board of Commissioners to conduct the hearing and make a recommendation to the Board.

FINDINGS

(General)

The review and decision criteria for a PCCP text amendment are provided under PCZO 115.050. Under this provision, the Hearings Officer conducts a public hearing pursuant to PCZO 115.030 and makes a recommendation to the Polk County Board of Commissioners. The Board conducts a public hearing pursuant to PCZO 115.030 and makes a final local decision. The review and decision criteria for a conditional use are listed in PCZO 119.070, 136.050(II), 136.060, and 136.065. below.

PCZO 136.050(II)(3) provides:

New schools and the expansion of existing schools are subject to Section 136.060 and the following standards:

- A. Existing schools, not including those listed in subsection (2) of this section, may be expanded on the same tract, subject to other requirements of law. Enclosed existing structures within three miles of an urban growth boundary may not be expanded beyond the requirements listed in Section 136.065(A) and (B).**

The Applicant is requesting to expand an existing K-8 school, Luckiamute Valley Charter Schools Bridgeport School site, and a PCCP amendment for a multi-use facility with a design capacity of more than 100 occupants within 3 miles of an urban growth boundary (UGB). The subject area (Tax Lot 501, approximately 3.07 acres) is part of the EFU portion of the school property located in the EFU and PE zones. The PE zoned portion of the school property (Tax Lot 600) is approximately one acre and contains the main school building and three modular classroom buildings with eight existing classrooms and a covered play-shed. Tax Lot 700, which is part of the subject property, contains a modular office building that was approved by the decision in CU 14-07. The subject property is located approximately 1.9 miles from the City of Falls City UGB.

According to the Applicant, the proposed multi-purpose building would have dimensions approximately 60 feet by 100 feet. With the additional classrooms in the proposed multi-purpose building, the total number of classrooms at Bridgeport School would be 10.

The proposed multi-purpose building site, as shown in Attachment A-3 of the Applicant's submission, is within the special flood hazard Zone A, as identified on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) panel number 41053C0260F, dated December 19, 2006. Preparation of the proposed multi-purpose building site may require non-structural development within the floodplain, such as filling, grading and excavation. Structural development would be subject to floodplain development standards. Applicant acknowledges that floodplain development standards will have to be met for any structural and non-structural development within the floodplain pursuant to PCZO Chapter 178, Floodplain Overlay Zone. Staff recommends, as a condition of approval, that floodplain development standards would be required to be met for any structural and non-structural development in the floodplain pursuant to PCZO 178.060(B)(4) addresses non-structural development within the floodplain, such as filling, grading, driveway construction, and excavation. PCZO 178.070 addresses general standards for development in the floodplain such as the construction of dwellings and accessory structures.

Based on a review of the Polk County Significant Resource Areas (SRA) Map, the Little Luckiamute River is a significant fish bearing stream. According to the National Wetlands Inventory (NWI) Map, the Little Luckiamute River is also a riparian corridor. Based on the applicant's plot plan, the proposed multi-use building would not be located within the riparian setback area. Nevertheless, a condition should state that any development activity that is identified as a conflicting use in PCZO 182.070(C) within 100 feet of the Little Luckiamute River (the riparian setback area) may be prohibited or require additional permitting. Staff recommends that the applicant contact the Polk County Planning Division prior to any development in proximity to that riparian setback area. There are no inventoried historic structures or Willamette River Greenway areas located on the subject property.

PCZO 136.050(II)(3) requires that the expansion of school facilities shall be on the same tract. In the decision for LLA 14-38, Polk County determined that the school had outgrown its current size on the approximately one acre parcel developed with the school buildings, and approved the property line adjustment to provide additional acreage to be utilized by the school. The proposed multi-purpose building would be located on the school tract. The requirements of PCZO 136.060 and 136.065(A) and (B) are addressed below.

The application complies with this criterion.

Expansion and UGB Proximity Standards:

- A. No enclosed structure with a design capacity greater than 100 people, or group of structures with a total design capacity of greater than 100 people, shall be approved in connection with the use within three miles of an urban growth boundary, unless an exception is approved pursuant to ORS 197.732 and OAR chapter 660, division 4, or unless the structure is described in a master plan adopted under the provisions of OAR chapter 660, division 34. [PCZO 136.065(A)]**
- B. Any enclosed structures or group of enclosed structures described in subsection (A) within a tract must be separated by at least one-half mile. For purposes of this section, "tract" means a tract as defined by ORS 215.010(2) that is in existence as of June 17, 2010. [PCZO 136.065(B)]**

As noted above, Bridgeport School is located at 17475 Bridgeport Road, Dallas, Oregon. The subject area of the proposed school expansion (Tax Lot 501 approximately 3.07 acres) is part of the EFU portion of the school property located in the EFU and PE zones. The PE zoned portion of the school property (Tax Lot 600) is approximately one acre and contains the main school building and three modular classroom buildings with eight existing classrooms and a covered play-shed. Tax Lot 700, which is part of the subject property, contains a modular office building that was approved by the decision in CU 14-07.

The existing school buildings on the PE-zoned portion of the school property are not subject to restriction under PCZO 136.065. The modular office building located on Tax Lot 700 was approved by the decision in CU-14-07.

The subject property is located approximately 1.9 miles from the City of Falls City UGB. The design capacity of the proposed multi-purpose building, with dimensions of 60 feet by 100 feet, would exceed 100 for all-school assemblies and activities; sports, physical education, recess and before-school and after-school activities; specialized classrooms; school kitchen facilities; and a staff room. The proposed building is not in a master plan approved under the provisions of OAR 660, division 34. As such, an exception pursuant to ORS 197.732 and OAR chapter 660, division 4 is required. The exception criteria are addressed below.

The proximity of the proposed multi-purpose building to the existing school buildings would constitute it as part of a single group of structures for the purpose of PCZO 136.065(B). A condition of approval should require the proposed multi-purpose building to be established substantially in the location and of the size proposed in the application (Attachment A of the staff report).

Subject to the exception required under ORS 197.732 and OAR chapter 660, division 4, addressed below, the application meets these criteria.

3. CRITERIA FOR NON-LEGISLATIVE PLAN AMENDMENTS. A non-legislative plan amendment may be approved provided that the request is based on substantive information providing a factual basis to support the change. It is the applicant's responsibility to provide the information necessary to determine if the request meets the pertinent criteria. [PCZO 115.050]

(A) Amendments to the Comprehensive Plan Map must meet one or more of the following criteria:

- (1) The Comprehensive Plan designation is erroneous and the proposed amendment would correct the error; or**
- (2) The Comprehensive Plan Designation is no longer appropriate due to changing conditions in the surrounding area; and [PCZO 115.050(A)(2)]**
- (3) The purpose of the Comprehensive Plan will be carried out through approval of the proposed Plan Amendment based on the following: [PCZO 115.050(A)(3)]**
 - (a) Evidence that the proposal conforms to the intent of relevant goals and policies in the Comprehensive Plan and the purpose and intent of the proposed land use designation.**
 - (b) Compliance with Oregon Revised Statutes, statewide planning goals and related administrative rules which applies to the particular property(s) or situations. If an exception to one or more of the goals is necessary, the exception criteria in Oregon Administrative Rules, Chapter 660, Division 4 shall apply; and**
 - (c) Compliance with the provisions of any applicable intergovernmental agreement pertaining to urban growth boundaries and urbanizable land.**

This application does not propose to change the PCCP Map or underlying Agricultural PCCP designation. As discussed above in this report, the subject property is located approximately 1.9 miles from the City of Falls City UGB. As a result, there are not any applicable intergovernmental agreements pertaining to UGB's and urbanizable land applicable to this proceeding. The design capacity of the proposed multi-purpose building, with dimensions of 60 feet by 100 feet, would exceed 100 occupants for all-school assemblies and activities; sports, physical education, recess and before-school and after-school activities; specialized classrooms; school kitchen facilities; and a staff room. The proposed building is not in a master plan approved under the provisions of OAR 660,

division 34. As such, an exception pursuant to ORS 197.732 and OAR chapter 660, division 4 is required. If approved, the Goal exception must be included in the PCCP.

This conditional use request is specific to the subject property and does not establish a planning or zoning policy of general applicability. As a result, this proposal requires Polk County to make a quasi-judicial land use decision. There are no specific standards in the PCZO for including non-legislative (quasi-judicial) Goal exception findings in the PCCP. Typically, a quasi-judicial Goal exception is used to justify a change to a property's PCCP designation which also requires a change to the PCCP Map. As a result of that process a Goal exception is included in the PCCP in an appendix. However, due to the unique requirements in State law that require adoption of a Goal exception as part of a conditional use criterion, Polk County must include the Goal exception in the PCCP even though it does not change the PCCP Map. The Applicant provided the information necessary to determine if the request meets the pertinent criteria to approve the Goal exception. With an approved Goal exception, the conditional use activity would be consistent with the existing zoning designation and the existing PCCP designation. As this application does not propose to change the underlying Agricultural PCCP designation or the PCCP Map, PCZO 115.050(A) is not applicable to this request.

The Hearings Officer concludes that the application complies with PCZO 115.050.

(Goal Exception)

As noted above, this application requires an exception to the UGB proximity standards under PCZO 136.065(A), pursuant to ORS 197.732 and OAR chapter 660, division 4, and a corresponding PCCP amendment to allow the proposed use, for the reason that the proposed multi-use structure would have a design capacity of greater than 100 people.

This application is based on a "Reasons Exception," under ORS 197.732(2)(c). ORS 197.732 is implemented through OAR 660, division 4. Reasons exceptions are governed by OAR 660-004-0020.

The applicable Statewide Planning Goal to which an exception is required for this application is Goal 3, Agricultural Lands. Goal 3 provides that its purpose is "[t]o preserve and maintain agricultural lands."

OAR 660-004-0020 provides:

*"If a jurisdiction determines there are reasons consistent with OAR 660-004-0022 to use resource lands for uses not allowed by the applicable Goal * * * the justification shall be set forth in the comprehensive plan as an exception."*

OAR 660-004-0020(2) sets forth the four standards in Goal 2, Part II(c) as well as "general standards applicable to each of the factors." Under the rule, local government may adopt an exception to a goal when the following standards are met:

- A. Reasons justify why the state policy embodied in the applicable goals should not apply. The exception shall set forth the facts and assumptions used as the basis for determining that a state policy embodied in a goal should not apply to specific properties or situations including the amount of land for the use being planned and why the use requires a location on resource land.**

Reasons that meet the foregoing criteria for an exception to Goal 3 include that "[t]he proposed use or activity has special features or qualities that necessitate its location on or near the proposed exception site." OAR 660-004-0022(1)(c).⁴

⁴ This reason is one of three reasons listed under OAR 660-004-0022(1) that may be used to justify a reasons exception. The reasons listed in the rule are illustrative, and not exclusive, as the rule states: "Such reasons *include but are not limited to*" the reasons listed in the rule.

The subject area (Tax Lot 501, approximately 3.07 acres in size) is part of the EFU portion of the school property located in the EFU and PE zones. The PE zoned portion of the school property (Tax Lot 600) is approximately one acre and contains the main school building and three modular classroom buildings with eight existing classrooms and a covered play-shed. Tax Lot 700, which is part of the subject property, contains a modular office building that was approved by the decision in Conditional Use CU 14-07.

The new multi-purpose building is proposed for the purpose of meeting several needs of Bridgeport School, including the need for a single facility with sufficient space to accommodate all-school assemblies and other school events, including athletics, for which there is presently no indoor space. Currently, all-school assemblies can only be held outside, which limits such assemblies to days when the weather permits such gatherings. There are no indoor athletic, school recess or physical education facilities for the school, which the proposed building would provide. The building would include additional space for specialized (i.e., not general education) classrooms, but is not designed or intended to increase the current projected enrollment capacity of the school. The building would include kitchen facilities for food preparation as part of Applicant's planned "Farm to School" program, utilizing locally produced farm products in its school meal service. The facility would also provide space for a staff room for the school, and provide an enclosed space for before-school and after-school activities for students. Consistent with its role as a rural school, the building would also be available for limited use by the rural community, for such activities as adult education and recreation.

According to the Applicant, the proposed multi-purpose building is integral to the school program and services that the school provides. The Applicant states that it would be utilized daily – before, during and after school, by students and staff, who would come and go between it and the existing school buildings on the school property. The school property is surrounded by resource lands that are predominantly used for agricultural and rural residential uses. (See the expanded vicinity map attached as Exhibit 3 of the Applicant's submittal). The only property in the vicinity of the subject property that is designated under the PCCP and zoned for school use is the Applicant's school property which is already fully occupied by the existing school buildings. There are no other parcels designated or available for school use in the vicinity of the subject property.

Staff confirms that the only other non-resource lands in the expanded area are Camp Kilowan and the Falls City Cemetery, both of which are occupied and unsuitable considering both distance and use for the multi-purpose building.

The Falls City UGB is 1.9 miles away.

It is reasonable to conclude that it would not be feasible to locate the proposed multi-purpose building on property away from the existing school property, necessitating the busing of students and staff to and from the building. The close proximity of the multi-purpose building to the existing classrooms and school buildings is essential to its function.

The application meets this criterion.

B. Areas which do not require a new exception cannot reasonably accommodate the use. The exception must meet the following requirements:

- (1) The exception shall indicate on a map or otherwise describe the location of possible alternative areas considered for the use, which do not require a new exception. The area for which the exception is taken shall be identified;**
- (2) To show why the particular site is justified, it is necessary to discuss why other areas which do not require a new exception cannot reasonably accommodate the proposed use. Economic factors can be considered along with other relevant factors in determining that the use cannot reasonably be accommodated in other areas. Under the alternative factor the following questions shall be addressed:**

- (i) Can the proposed use be reasonably accommodated on nonresource land that would not require an exception, including increasing the density of uses on nonresource land? If not, why not?
 - (ii) Can the proposed use be reasonably accommodated on resource land that is already irrevocably committed to nonresource uses, not allowed by the applicable Goal, including resource land in existing rural centers, or by increasing the density of uses on committed lands? If not, why not?
 - (iii) Can the proposed use be reasonably accommodated inside an urban growth boundary? If not, why not?
 - (iv) Can the proposed use be reasonably accommodated without the provision of a proposed public facility or service? If not, why not?
- (3) This alternative areas standard can be met by a broad review of similar types of areas rather than a review of specific alternative sites. Initially, a local government adopting an exception need only assess whether those similar types of areas in the vicinity could not reasonably accommodate the proposed use. Site specific comparisons are not required of a local government taking an exception, unless another party to the local proceeding can describe why there are specific sites that can more reasonably accommodate the proposed use. A detailed evaluation of specific alternative sites is thus not required unless such sites are specifically described with facts to support the assertion that the sites are more reasonable by another party during the local exceptions proceeding.

Bridgeport School is part of the EFU portion of the school property located in the EFU and PE zones. The PE zoned portion of the school property (Tax Lot 600) is approximately one acre and contains the main school building and three modular classroom buildings with eight existing classrooms and a covered play-shed. Tax Lot 700, which is part of the subject property, contains a modular office building that was approved by the decision in Polk County Conditional Use CU 14-07.

According to the Applicant, the proposed multi-purpose building is integral to the school program and services that the school provides. The Applicant states that it would be utilized daily – before, during and after school, by students and staff, who would come and go between it and the existing school buildings on the school property. The school property is surrounded by resource lands that are predominantly used for agricultural and rural residential uses. (See the expanded vicinity map attached as Exhibit 3 of the Applicant's submittal). The only property in the vicinity of the subject property that is designated under the PCCP and zoned for school use is the Applicant's school property which is already fully developed with the existing school buildings. There are no other parcels designated or available for school use in the vicinity of the subject property.

Staff confirms that only other non-resource lands in the expanded area are Camp Kilowan and the Falls City Cemetery, both of which are currently occupied and unsuitable considering both distance and use for the multi-purpose building.

Staff confirms that the nearest resource land that appears to be committed to non-resource uses is Bridgeport Community Chapel, 16930 Bridgeport Road, which is more than 3000 feet by road from the subject property and is currently occupied.

The Falls City UGB is 1.9 miles away from the subject property.

The proposed multi-purpose building is itself a public facility would be dedicated to uses associated with the Bridgeport School program. It is reasonable to conclude that it would not be feasible to locate the proposed multi-purpose building on property away from the existing school property so as to require busing students and staff to and from the building. The close proximity of the proposed multi-purpose building to the existing classrooms and school buildings is essential to its function.

Staff and the Hearings Officer agree with the Applicant that this general assessment of alternative areas is sufficient under OAR 660-004-0020(C) to demonstrate that "those similar types of areas in the vicinity could not reasonably accommodate the proposed use."

The application meets these criteria.

- C. The long-term environmental, economic, social and energy consequences resulting from the use of the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site. The exception shall describe: the characteristics of each alternative area considered by the jurisdiction in which an exception might be taken, the typical advantages and disadvantages of using the area for a use not allowed by the Goal, and the typical positive and negative consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts. A detailed evaluation of specific alternative sites is not required unless such sites are specifically described with facts to support the assertion that the sites have significantly fewer adverse impacts during the local exceptions proceeding. The exception shall include the reasons why the consequences of the use at the chosen site are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site. Such reasons shall include but are not limited to a description of: the facts used to determine which resource land is least productive, the ability to sustain resource uses near the proposed use, and the long-term economic impact on the general area caused by irreversible removal of the land from the resource base. Other possible impacts to be addressed include the effects of the proposed use on the water table, on the costs of improving roads and on the costs to special service districts.**

The subject area (Tax Lot 501, approximately 3.07 acres) is part of the EFU portion of the school property located in the EFU and PE zones. The PE zoned portion of the school property (Tax Lot 600) is approximately one acre and contains the main school building and three modular classroom buildings with eight existing classrooms and a covered play-shed. Tax Lot 700, which is part of the subject property, contains a modular office building that was approved by the decision in Polk County Conditional Use CU 14-07.

Polk County previously determined in Conditional Use CU 14-07 that the surrounding properties are predominantly used for agricultural and residential uses. Staff confirms that those conditions continue to exist. The neighboring property to the north, east and west is under the ownership of Victoria Avery (described on the Assessment Map as T8S, R6W, Section 26, Tax Lot 500) and contains a mix of dense trees and open space. The Avery property is predominantly used for raising livestock, specifically cattle and sheep. Ms. Avery, as an applicant in Polk County Property Line Adjustment LLA 14-38, stated that the use of her property as a result of the property line adjustment and anticipated expansion of school facilities would not change. A review of uses on neighboring properties, outside the immediate vicinity of the subject property, indicates that the predominant use is farm use. Polk County previously determined in LLA 14-38 that the property line adjustment approved in that action would act as a buffer for the school to neighboring property uses. There is no new evidence to indicate that the area adjusted is not acting as a buffer for the school.

According to the Applicant, there is no alternative site – i.e., an alternative site that would also require a goal exception to build the multi-purpose facility – that would have any less environmental, economic, social or energy consequences from the existing and proposed use of the property. On the contrary, Bridgeport School has been operated on the school property as a rural school since the 1800s, without conflict between the school and surrounding uses. The Applicant contends, and staff agrees, that approval of this application and construction of the multi-purpose facility would not force a significant change in accepted farm or forest practices on surrounding lands. To locate the multi-purpose building on some other parcel requiring a Goal exception would require all new accommodations and measures to address the environmental, economic, social and

energy consequences of the school, while still leaving substantial impacts from the existing development in place on the school property. The Hearings Officer agrees.

Staff and the Hearings Officer agree with the Applicant that the long-term environmental, economic, social and energy consequences from the proposed site with measures to reduce adverse impacts are not more adverse (significantly or otherwise) than would result from the same proposed site being located on areas requiring a goal exception other than the proposed site.

The application meets this criterion.

- D. The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce the adverse impacts. The exception shall describe how the proposed use will be rendered compatible with adjacent land uses. The exception shall demonstrate that the proposed use is situated in such a manner as to be compatible with surrounding natural resources and resource management or production practices. "Compatible" is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses.**

The subject area (Tax Lot 501 approximately 3.07 acres in size) is part of the EFU portion of the school property located in the EFU and PE zones. The PE zoned portion of the school property (Tax Lot 600) is approximately one acre and contains the main school building and three modular classroom buildings with eight existing classrooms and a covered play-shed. Tax Lot 700, which is part of the subject property, contains a modular office building that was approved by the decision in Polk County Conditional Use CU 14-07.

As noted above, Polk County previously determined in Conditional Use CU 14-07 that the surrounding properties are predominantly used for agricultural and rural residential uses. Staff confirms that those conditions continue to exist. The neighboring property to the north, east and west is under the ownership of Victoria Avery (described on the Assessment Map as T8S, R6W, Section 26, Tax Lot 500) and contains a mix of dense trees and open space. The Avery property is predominantly used for raising livestock, specifically cattle and sheep. Ms. Avery, as an applicant in Polk County Property Line Adjustment LLA 14-38, stated that the use of her property as a result of the property line adjustment and anticipated expansion of school facilities would not change. A review of uses on neighboring properties, outside the immediate vicinity of the subject property, indicates that the predominant use is farm use. Polk County previously determined in LLA 14-38 that the property line adjustment approved in that action would act as a buffer for the school to neighboring property uses. There is no new evidence to indicate that the area adjusted is not acting as a buffer for the school.

According to the Applicant, the proposed multi-purpose building is intended primarily to serve the current and currently projected student enrollment, not to increase it. Bridgeport School has been operated on the school property as a rural school since the 1800s, without conflict between the school and surrounding uses. Staff and the Hearings Officer conclude that the school is compatible with other adjacent uses.

The application meets this criterion.

(Impact on Neighboring Lands)

GENERAL REVIEW STADARDS: To ensure compatibility with farming and forestry activities, the Planning Director or hearings body shall determine that the proposed use meets the following requirements:

- A. The proposed use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use. [PCZO 136.060(A)]**

As noted above, Bridgeport School is located at 17475 Bridgeport Road, Dallas, OR, in T8S, R6W, Section 26. The subject area, being approximately 3.07 acres in size, is part of the EFU

portion of the school property located in the EFU and PE zones. The PE zoned portion of the school property (Tax Lot 600) is approximately one acre and contains the main school building and three modular classroom buildings with eight existing classrooms and a covered play-shed. Tax Lot 700, which is part of the subject property, contains a modular office building that was approved by the decision in CU 14-07.

The Applicant is proposing to construct a multi-purpose building to provide indoor space for all-school assemblies and activities; sports, physical education, recess and before-school and after-school activities; specialized classrooms; school kitchen facilities; and a staff room. Consistent with its role as a rural school, the building would also be available for limited use by the rural community for such activities as adult education and recreation. The proposed building is intended to serve primarily the current and the currently projected student enrollment, and would not result in an increase in student enrollment beyond the current projection. The multi-purpose building would have dimensions approximately 60 feet by 100 feet. With the additional classrooms in the proposed multi-purpose building, the total number of classrooms at Bridgeport School would be 10.

As noted above, in the decision for CU14-07, Polk County determined that the surrounding properties are predominantly used for agricultural and residential uses. The neighboring property to the north, east and west is under the ownership of Victoria Avery (described on the Assessment Map as T8S, R6W, Section 26, Tax Lot 500) and contains a mix of dense trees and open space. The Avery property is predominantly used for raising livestock, specifically cattle and sheep. Ms. Avery, as an applicant in LLA 14-38, stated that the use of her property as a result of the property line adjustment and anticipated expansion of school facilities would not change. A review of uses on neighboring properties, outside the immediate vicinity of the subject property, indicates that the predominant use is farm use. Polk County determined in the decision for LLA 14-38 that the property line adjustment approved in that action would act as a buffer for the school benefitting neighboring property uses.

As stated above, the proposed multi-purpose building is intended primarily to serve the current and currently-projected student enrollment, not to increase it. Bridgeport School has been operated on the school property as a rural school since the 1800s, without conflict between the school and surrounding uses. Staff believes approval of this application and construction of the multi-purpose facility would not force a significant change in accepted farm or forest practices on surrounding lands. The Hearings Officer concurs.

The application complies this criterion.

B. The proposed use will not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use. [PCZO 136.060(B)]

The Applicant is proposing to construct a multi-purpose building to provide indoor space for all-school assemblies and activities; sports, physical education, recess and before-school and after-school activities; specialized classrooms; school kitchen facilities; staff room; and additional restrooms for the school. Consistent with its role as a rural school, the building would also be available for limited use by the rural community, for such activities as adult education and recreation. The proposed building is intended to serve primarily the current and the currently projected student population, and would not result in an increase in student enrollment beyond the current projection.

The multi-purpose building would have dimensions approximately 60 feet by 100 feet. With the additional classrooms in the proposed multi-purpose building, the total number of classrooms at Bridgeport School would be 10.

In the decision for CU-14-07, Polk County determined that surrounding properties are predominantly used for agricultural and residential uses. Common agricultural practices may include spraying chemicals on crops, raising livestock and operating machinery. These activities may cause dust, noise and odors. The neighboring property to the north, east and west is under the ownership of Victoria Avery (described on the Assessment Map as T8S, R6W, Section 26, Tax Lot 500) and contains a mix of dense trees and open space. The Avery property is predominantly used for raising

livestock, specifically cattle and sheep. Ms. Avery, as an applicant in LLA 14-38, stated that the use of her property as a result of the property line adjustment and anticipated expansion of school facilities would not change. A review of uses on neighboring properties, outside the immediate vicinity of the subject property, indicates that the predominant use is farm use. In the decision for LLA 14-38, Polk County determined that the property line adjustment approved in that action would act as a buffer for the school benefitting neighboring property uses.

As stated above, the proposed multi-purpose building is intended primarily to serve the current and currently projected student enrollment, not to increase it. Bridgeport School has been operated on the school property as a rural school since the 1800s, without conflict between the school and surrounding uses. Staff believes that approval of this application and construction of the multi-purpose facility would not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use, and the Hearings Officer concurs.

The application complies with this criterion.

CONDITIONAL USE

Before granting a conditional use, the Hearings Officer or Planning Director shall determine:

A. That he or she has the power to grant the conditional use; [PCZO 119.070(A)]

Pursuant to PCZO 111.250(A) and 119.030, the Hearings Officer has the power to make a decision on conditional use permits.

B. That such conditional use, as described by the applicant, will be in harmony with the purpose and intent of the zoning district; [PCZO 119.070(B)]

(1) EFU Purpose and intent. The purpose and intent of the Exclusive Farm Use (EFU) Zoning District is to conserve agricultural lands, consistent with the Goals and Policies of the Polk County Comprehensive Plan. This objective is achieved by establishing clear standards for the use and development of designated agricultural lands.

The Exclusive Farm Use Zoning District will be applied to lands defined as "agricultural lands" by Oregon Administrative Rule (OAR) 660-33-020(1). Within the Exclusive Farm Use Zoning District, the use and development of land is subject to review and authorization as provided by Polk County's land use regulations and as may further be indicated in State and federal laws. [PCZO 136.010]

The subject area (Tax Lot 501 approximately 3.07 acres in size) is part of the EFU portion of the school property located in the EFU and PE zones. The PE zoned portion of the school property (Tax Lot 600) is approximately one acre and contains the main school building and three modular classroom buildings with eight existing classrooms and a covered play-shed. Tax Lot 700, which is part of the subject property, contains a modular office building that was approved by the decision in Polk County Conditional Use CU 14-07.

Polk County has adopted clear standards for the use and development of designated agricultural lands which can be found in PCZO Chapter 136, Exclusive Farm Use. The expansion of school facilities is a use that can be permitted within the EFU zone. PCZO 136.050(II)(3) requires that the expansion of school facilities shall be on the same tract. In the decision for LLA 14-38, Polk County determined that the school had outgrown its current size on the approximately one acre parcel developed with the school buildings, and approved the property line adjustment to provide additional acreage to be utilized by the school. The proposed multi-purpose building would be located on the school tract. The requirements of PCZO 136.060 and 136.065(A) and (B) are addressed above and staff found that the Applicant has demonstrated compliance with those criteria. As noted above, this

application also requires an exception to the UGB proximity standards under PCZO 136.065(A), pursuant to ORS 197.732 and OAR chapter 660, division 4, and a corresponding PCCP amendment to allow the proposed use, for the reason that the proposed multi-use structure would have a design capacity of greater than 100 people. Those requirements are addressed above and the Applicant has demonstrated compliance with those criteria.

Polk County previously determined in Conditional Use CU 14-07 that the surrounding properties are predominantly used for agricultural and residential uses. Staff confirms that those conditions continue to exist. The neighboring property to the north, east and west is under the ownership of Victoria Avery (described on the Assessment Map as T8S, R6W, Section 26, Tax Lot 500) and contains a mix of dense trees and open space. The Avery property is predominantly used for raising livestock, specifically cattle and sheep. Ms. Avery, as an applicant in Polk County Property Line Adjustment LLA 14-38, stated that the use of her property as a result of the property line adjustment and anticipated expansion of school facilities would not change. A review of uses on neighboring properties, outside the immediate vicinity of the subject property, indicates that the predominant use is farm use. Polk County previously determined in LLA 14-38 that the property line adjustment approved in that action would act as a buffer for the school to neighboring property uses. There is no new evidence to indicate that the area adjusted is not acting as a buffer for the school.

According to the Applicant, the proposed multi-purpose building is intended primarily to serve the current and currently-projected student enrollment, not to increase it. Bridgeport School has been operated on the school property as a rural school since the 1800s, without conflict between the school and surrounding uses.

For the reasons above, Staff concludes that the school conditional use would be in harmony with the purpose and intent of the EFU zone, and the Hearings Officer concurs.

C. That such conditional use, as described by the applicant, complies with any specific provisions for such a use as provided by the zone or by Section 119.150. [PCZO 119.070(C)]

There are no special provisions for the proposed conditional use identified in PCZO 119.150 that are applicable to this application.

D. That the imposition of conditions is deemed necessary for the public health, safety, or welfare, or to protect the health or safety of persons working or residing in the area, or for the protection of property or improvements in the neighborhood. PCZO 119.070(D)]

In order to meet the requirements of this criterion, staff recommended the following conditions of approval that address required parking and loading facilities for the school expansion.

Off-street automobile parking requirements. Off-street automobile parking shall be provided as required by PCZO Section 112.270 and approved by the Planning Director in the amounts not less than those listed below: [PCZO 112.250(O)]

Elementary or Junior High School:	2 spaces per classroom, plus off-street student loading and unloading facility
-----------------------------------	--

According to the Applicant, the school presently has eight classrooms serving students in the K-8 grades. As such, the current parking requirement under PCZO 112.250 is 16 spaces. The proposed multi-purpose building would include up to an additional two classrooms, increasing the parking requirement to 20 spaces. Parking and loading development standards are governed by PCZO 112.270. The property owner shall provide additional parking spaces if needed. No parking shall be allowed within a public right-of-way. As required by PCZO 112.260(B), one loading space at least 12 feet wide, 30 feet long, and 14 feet high, shall be provided for all buildings except residential buildings and those used entirely for office use; up to 2,000 square feet gross floor area, and one for

each additional 40,000 square feet of floor area. This standard requires the Applicant to provide at least one loading space. The Applicant would need to increase the parking and loading areas on the property as needed in order to ensure that there is adequate parking to serve all activities that would be occurring on the property.

Bridgeport School is presently served by a paved driveway from Bridgeport Road. The current paved parking area and bus loading area is shown by Attachments A-2 and A-3 of the Applicant's submittal. Construction of the proposed multi-purpose building would require compliance with the parking standards of the PCZO at the time of building permits. As required by PCZO 112.270, the parking and loading areas shall be surfaced in gravel, asphalt or concrete. The standard surface base is six (6) inches of one (1) inch minus gravel to three (3) inch minus; if three (3) inch minus is used the top two (2) inches shall be one (1) inch minus or an alternative as approved by the Director of Public Works. Bumper guards or wheel barriers shall be installed so that no portion of a vehicle will project onto a public right-of-way or over adjoining property. All parking and loading areas shall be served with either separate ingress and egress driveways or with adequate turn-arounds sized and constructed to provide adequate ability for emergency service vehicles to turn around. The property owner shall meet all other applicable parking standards set forth in PCZO Chapter 112.

The Applicant is proposing to build a multi-purpose building. The new building would need to be located the minimum structural setback distance from all property lines as described in PCZO 112.430(A). The setbacks in the EFU zone are 30 feet from the front property line and 20 feet from the side and rear property lines. PCZO Chapter 182 designates a wetland and riparian setback from significant wetlands and riparian areas that ranges between 25 and 100 feet based on the size wetland or stream. Structural development in the riparian setback area is prohibited, and non-structural development is subject to the restrictions listed in PCZO Chapter 182. Staff recommended that the property owners contact the Polk County Planning Division prior to any development adjacent to the inventoried riparian area in order to determine if permits are needed. According to comments by the Polk County Environmental Health Division, the subject property currently has a septic system, but would need a septic permit if any additional structures are connected. Staff recommended a condition of approval that the applicant shall obtain all necessary Environmental Health permits.

Based on the Applicant's plot plan, the proposed structure could meet these minimum setbacks.

In order to minimize the risk of flood damage, a condition of approval should require the Applicant to obtain all necessary floodplain development permits for any structural or non-structural development in the floodplain pursuant to PCZO Chapter 178 Floodplain Overlay Zone. PCZO 178.060(B)(4) addresses non-structural development within the floodplain, such as filling, grading, driveway construction, and excavation. PCZO 178.070 addresses general standards for development in the floodplain such as the construction of dwellings and accessory structures.

A condition of approval should also require that prior to establishing the conditional use; the Applicant shall obtain all required local, State, and Federal permits. These permits may include, but are not limited to the following: septic permits from the Polk County Environmental Health Division; building, electrical, mechanical and plumbing permits from the Building Division; a new or amended access permit from the Polk County Public Works Department.

The above conditions are intended to ensure that the proposed conditional use meets the criteria of the application and does not significantly interfere with existing uses or with other permitted uses on nearby land. With the recommended conditions, the application complies with this criterion.

Pursuant to PCZO 119.140, the Hearings Officer, Planning Director, or Board of Commissioners may rescind any conditional use permit granted under the conditional use ordinance if it is ascertained that the application contains any false statements. In case of such rescission, the matter may be referred to County Counsel for an opinion. In such case, it shall be unlawful for any

person to exercise any right granted by the Hearings Officer, Planning Director, or the Board of Commissioners pursuant to such application.

Pursuant to PCZO 119.090, this conditional use authorization shall be effective only when exercised within one (1) year after the effective date of that conditional use, unless a longer period is specified or allowed by the Hearings Officer or Planning Director. In case such right has not been exercised or extension obtained as allowed, the conditional use shall be void. A written request for an extension of time shall be filed with the Planning Director at least 30 days before the expiration of the approval, and shall extend the running of the one year period until the Planning Director has acted on said request.

Pursuant to PCZO 119.100, discontinuance of the exercise of any right heretofore or hereafter authorized for any conditional use for a continuous period of six (6) months shall be deemed an abandonment of such conditional use.

CONCLUSION AND RECOMMENDATION

Based on the evidence submitted, staff and the Hearings Officer recommend APPROVAL of the proposed conditional use and Goal exception PCCP amendment by the Polk County Board of Commissioners. Staff recommended the conditions of development listed below in order to ensure that the proposed school expansion is consistent with the findings in the Review and Decision Criteria and as required by the PCZO and other provisions of law. Appeals to the Land Use Board of Appeals (LUBA) may only be based on Review and Decision Criteria contained listed above. Any modifications to conditions are subject to approval in accordance with provisions of law (variance, or subsequent land use application, etc.).

CONDITIONS OF DEVELOPMENT

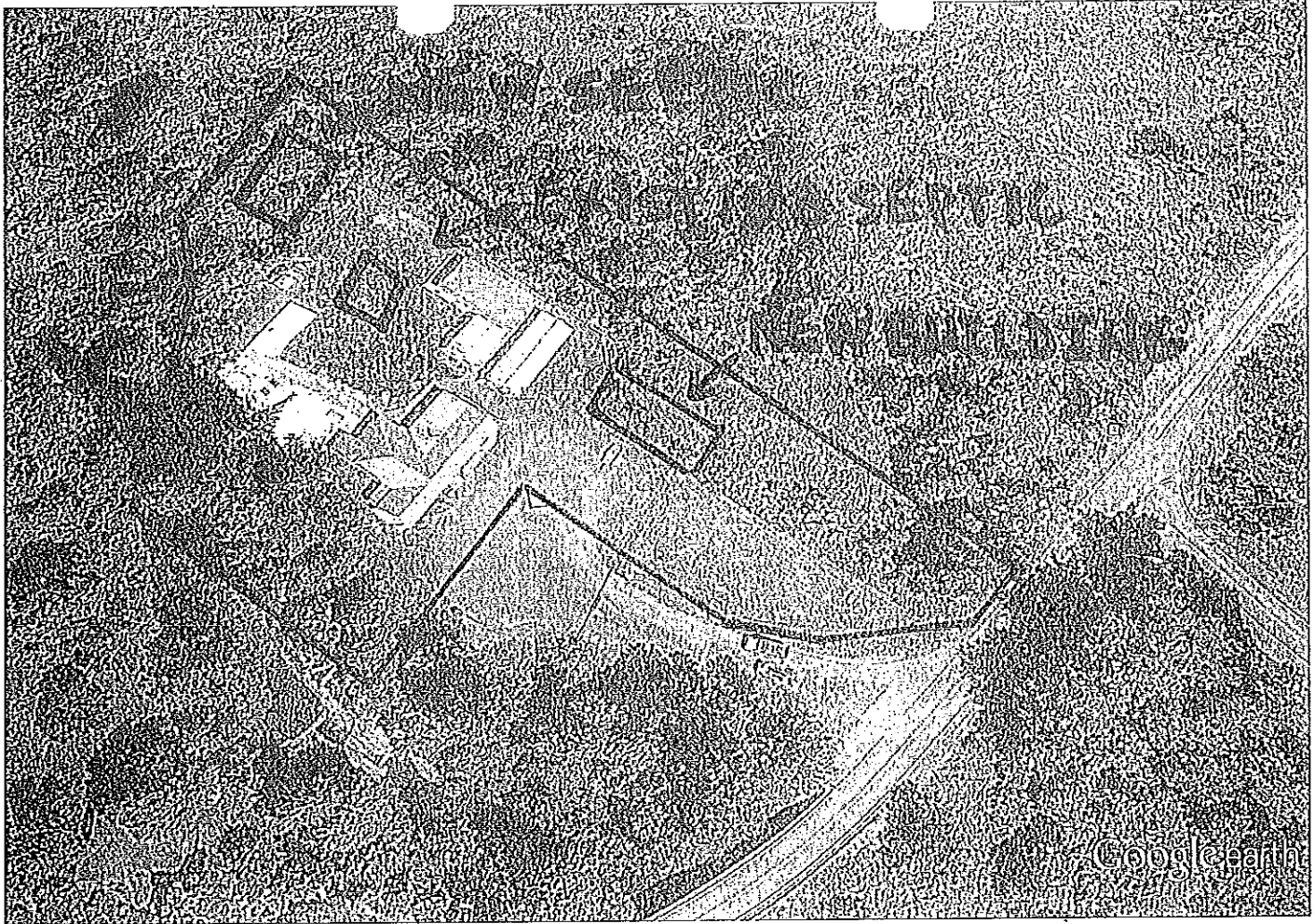
1. The proposed multi-purpose building shall be established substantially in the location and of the size and function proposed in this application.
2. The Applicant shall obtain all required local, State, and Federal permits. These permits may include, but are not limited to the following: septic permits from the Polk County Environmental Health Division; building, electrical, mechanical, and plumbing permits from the Polk County Building Division; a new or amended access permit from the Polk County Public Works Department, and floodplain development permits from the Polk County Planning Division.
3. The Applicant shall provide sufficient parking and loading facilities to comply with the standards listed in PCZO 112.210 to 112.270. The property owner shall provide additional parking or loading spaces if needed. No parking or loading shall be allowed within a public right-of-way.
4. As required by PCZO 112.270, the parking and loading areas shall be surfaced in gravel, asphalt or concrete. The standard surface base is six (6) inches of one (1) inch minus gravel to three (3) inch minus; if three (3) inch minus is used the top two (2) inches shall be one (1) inch minus or an alternative as approved by the Director of Public Works. Bumper guards or wheel barriers shall be installed so that no portion of a vehicle will project onto a public right-of-way or over adjoining property. All parking and loading areas shall be served with either separate ingress and egress driveways or with adequate turn-arounds sized and constructed to provide adequate ability for emergency service vehicles to turn around, and the property owner shall meet all other applicable parking standards set forth in PCZO Chapter 112.
5. The property owners shall obtain all necessary floodplain development permits for any structural or non-structural development in the floodplain pursuant to PZCO Chapter 178 Floodplain Overlay Zone. PCZO 178.060(B)(4) addresses non-structural development within the floodplain, such as filling, grading, driveway construction, and excavation. PCZO 178.070 addresses general standards for development in the floodplain such as the construction of dwellings and accessory structures.

6. The proposed structure located within the EFU zone shall comply with the setback standards of the EFU zone described in PCZO 112.430(A). Those setbacks are summarized as follows: front - 30 feet, side - 20 feet, and rear - 20 feet.
7. According to the National Wetlands Inventory (NWI) Map, and Polk County Significant Resource Areas (SRA) map the Little Luckiamute River contains riparian wetlands and is a significant fish bearing river. As a result, any development activity that is identified as a conflicting use in PCZO 182.070(C) within 100 feet of the top of the stream bank may be prohibited or require additional permitting. Staff recommends that the applicant contact the Polk County Planning Division prior to any development in proximity to that riparian area.
8. This conditional use authorization shall be effective only when exercised within one (1) year after the effective date of this land use decision. In case such right has not been exercised or extension obtained as allowed, the conditional use shall be void. A written request for an extension of time shall be filed with the Planning Director at least 30 days before the expiration of the approval, and shall extend the running of the one year period until the Planning Director has acted on said request.
9. Discontinuance of the activity authorized for this conditional use for a continuous period of six (6) months shall be deemed an abandonment of such conditional use. The conditional use approval would then become null and void.

Dallas, Oregon, June 7, 2015.

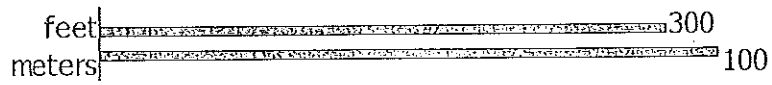


Robert W. Oliver
Polk County Hearings Officer



Google earth

Google earth





POLK COUNTY

820 S.W. ASH STREET * DALLAS, OREGON 97338-2112
(503) 623-9287 * FAX (503) 623-0897

PUBLIC WORKS

MEMORANDUM

TO: Board of Commissioners
FROM: Eric Berry
DATE: July 16, 2015
SUBJECT: Vacation of unnamed right of way in Ballston

Wednesday, July 22, 2015-Consent Calendar

RECOMMENDATION:

That the Board approves the vacation of an unnamed right of way in the unincorporated community of Ballston.

ISSUE:

Shall the Board of Commissioners vacate an unnamed right of way in the unincorporated community of Ballston?

DISCUSSION:

These roads were platted in 1897 by the plat of SALINGS ADDITION TO THE TOWN OF BALLSTON. These roads are not currently being used. All landowners adjacent to these rights of way have signed a petition to vacate. No other landowners would be affected. In addition, a private easement has been prepared and will be recorded upon vacation. A public hearing was not necessary per ORS 368.351.

FISCAL IMPACT:

Vacation fees to be collected.
Recording fees.
Tax revenue on the land to be vacated.

Enclosures;
Order 15-XX

**BEFORE THE BOARD OF COMMISSIONERS
FOR THE COUNTY OF POLK, STATE OF OREGON**

In the matter of vacating)
Unnamed right of way)
In the town of Ballston)

ORDER NO. 15-14

WHEREAS, a member of the public has submitted a petition to Public Works requesting that proceedings be initiated to vacate an unnamed right of way in the town of Ballston, more particularly described in exhibit "A" hereof; and

WHEREAS, the Board of Commissioners has the discretion to vacate public roads without a hearing because of 100% participation of the abutting property owners as allowed per ORS 368.351; and

WHEREAS, the County Surveyor has recommended that an unnamed right of way in the town of Ballston, described in exhibit "A" be vacated; and

WHEREAS, it appearing to the Board that it is in the best interest of the public to vacate an unnamed right of way in the town of Ballston described in exhibit "A"; and

WHEREAS, ORS 368.326 to 368.366 specifies the procedure for vacation of County property; now, therefore,

THE POLK COUNTY BOARD OF COMMISSIONERS ORDERS AS FOLLOWS:

- (1) That an unnamed right of way in the town of Ballston, more particularly described in exhibit "A" be vacated.
- (2) This order takes effect upon signing.

Dated this 22nd day of July, 2015 at Dallas, Oregon.

POLK COUNTY BOARD OF COMMISSIONERS

Mike Ainsworth, Chair

Craig Pope, Commissioner

Approved as to form:

Morgan Smith
County Counsel

Jennifer Wheeler, Commissioner

EXHIBIT "A"

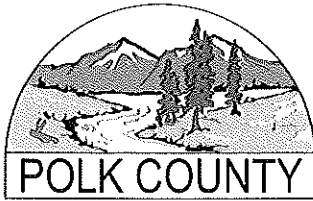
Legal Description

A tract of land lying in the northeast one-quarter of Section 8, Township 6 South, Range 5 West of the Willamette Meridian, Polk County, Oregon and being platted by Salings Addition to the town of Ballston, as recorded in Book 1 pages 46 and 63, Book of Town Plats, Polk County, Oregon and being more particularly described as follows;

All that portion of a 60 foot wide unnamed public right of way laying East of Blocks 5 and 12 also being West of blocks 6 and 11 also being South of the North line of blocks 5 and 6.

Also, all that portion of a 60 foot wide unnamed public right of way laying South of Block 6 and North of block 11 and being East of the East line of blocks 5 and 12.

This is to include the intersection of the said un-named public rights of way that lie between blocks 5, 6, 11 and 12.



INTEROFFICE MEMORANDUM

POLK COUNTY COURTHOUSE

MEMORANDUM

TO: Board of Commissioners
FROM: Heather Merrill, Executive Assistant to the Board
DATE: July 22, 2015
SUBJECT: Reappointment to Polk County Local Public Safety Coordinating Council

RECOMMENDATION:

Reappoint Mel Conrad to the Local Public Safety Coordinating Council as a lay member, term to expire September 1, 2019.

SSUE:

Should the Board make the reappointment to LPSCC?

BACKGROUND:

Mel Conrad has served on the LPSCC committee since 2013. She actively attends the meetings and has agreed to serve another term.

ALTERNATIVES:

1. Reappoint Mel Conrad to the LPSCC.
2. Do not reappoint Mel Conrad to LPSCC. Staff would then need to recruit for vacancy.

FISCAL IMPACT:

None.





POLK COUNTY

POLK COUNTY COURTHOUSE * DALLAS, OREGON 97338-3177
(503) 623-8173 * FAX (503) 623-0896

COUNTY COUNSEL

MORGAN SMITH

TO: Board of Commissioners
FROM: Morgan Smith, County Counsel
DATE: July 14, 2015
SUBJECT: Jail Inspection

RECOMMENDATION:

That the Board of Commissioners place their observations from the jail tour held on July 14, 2015 on the record and that the Chair be directed to sign the Inspection Report.

ISSUE:

Should the Board sign the Jail Inspection Report?

BACKGROUND:

Each year the Board conducts a tour of the jail facility. ORS 169.040 mandates that certain criteria be inspected. A written report is then signed and filed. Members of the community often attend the tour. The tour includes an optional meal (identical to what the inmates are served).

ALTERNATIVES:

1. Sign the Inspection Report.
2. Direct amendments to the Inspection Report.

FISCAL IMPACT:

None.

CORRECTIONAL FACILITY INSPECTION REPORT: POLK COUNTY JAIL
(ORS 169.040)

DATE OF INSPECTION July 14, 2015

INSPECTION PARTY Craig Pope Morgan Smith
 Mike Ainsworth

- | | | |
|---|---|-----------------------------|
| 1. Average Daily Population | <u>125</u> | |
| 2. Staffing Level(s)
Inadequate <input type="checkbox"/>
Adequate <input checked="" type="checkbox"/> | | |
| 3. Hourly Inmate Inspections:
<input type="checkbox"/> Monitoring Equipment
<input checked="" type="checkbox"/> Manual | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 4. Written Jail Policy/Rules:
✓ Legal Confinement Authority
✓ Denial of Admission
✓ Telephone calls
✓ Medical/dental procedures
✓ Medication/Prescriptions
✓ Personal Property/ORS 133.455
✓ Vermin/Communicable disease
✓ Release Process
✓ Correspondence/Visitation | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 5. Written policy re: facility emergencies | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 6. Administration of physical punishment policy | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 7. Access to licensed physician | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 8. Secure storage of medication | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 9. Maintenance of inmate medical/dental record system | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 10. First aid supplies/staff training | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 11. Firearms policy prohibiting firearms in secure area of jail except in times of emergency | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 12. Inmates fed at least three meals daily | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

13. Meals are nutritionally adequate Yes No
14. Special diets/meals available Yes No
15. Food storage appears sanitary Yes No
16. Food served under sanitary conditions Yes No
17. Jail facility appears clean: Yes No
18. Inmates provided personal hygiene materials Yes No
Confirmed with Inmate – Name: Amber Lakomecki
19. Inmates required to shower at least twice weekly Yes No
Confirmed with Inmate – Name: Amber Lakomecki
20. Inmates provided clean clothes twice weekly Yes No
Confirmed with Inmate – Name: Amber Lakomecki
21. Mattresses/blankets clean and fire-retardant Yes No
22. Outgoing correspondence to attorney, judge, etc., not examined or censored Yes No
Confirmed with Inmate – Name: Amber Lakomecki
23. Compliance with building, fire codes Yes No
24. Provide inmates with rules for inmate conduct and facility disciplinary procedures Yes No
Confirmed with Inmate – Name: Amber Lakomecki
25. Maintain religious freedoms policy Yes No
26. Provide access to legal material Yes No

27. Additional Observations/Comments: _____

DATED: July 14, 2015

 Mike Ainsworth, Board of Commissioners Chair



Contract Review Sheet

Staff Contact: Kalena Plath Phone Number (Ext): 2428

Department: Health Services- Mental Health Consent Calendar Date: 7/2215

Contractor Name: Allan Rainwater

Address: 525 Winding Way SE

City, State, Zip: Salem, OR 97302

Effective Dates - From: 07/01/15 Through: 6/30/16

Contract Amount: \$ variable dependent upon services provided

Background:

Allan Rainwater has agreed to provide mental health services to referred Polk County Mental Health individuals.

Discussion:

Allan Rainwater meets the criteria for a service provider and has been cleared to work with us through a criminal history records review.

Fiscal Impact:

The Mental Health Services budget has sufficient expenditure authority to accommodate this contract. The 2015-2016 Mental Health Outpatient budget was prepared in anticipation of this agreement. There is no other fiscal impact to the Mental Health budgets, FTE, or County general fund.

Recommendation:

It is recommended that the Board of Commissioners sign the contract agreement Polk County and Allan Rainwater.

Copies of signed contract should be sent to the following:

Name: Kalena Plath E-mail: plath.kalena@co.polk.or.us

Name: Sara Dotson E-mail: dotson.sara@co.polk.or.us

Name: _____ E-mail: _____

CONTRACT & AGREEMENT SUMMARY

CONTRACT NO.:

DEPARTMENT: BEHAVIORAL HEALTH

CONTACT PERSON: NOELLE CARROLL

DATE ISSUED: JUNE 18, 2015

CONTRACTOR: ALLAN RAINWATER, MA, LPC

525 WINDING WAY SE

SALEM OR 97302

SS#/I.D.#: ON FILE

SERVICES PROVIDED: To provide after hours crisis on-call services for Polk County Behavioral Health.

EFFECTIVE DATES: From: 7-1-15 Through: 6-30-16

BUDGET LINE NUMBER(S): 240-8540-540-M25

DOLLAR AMOUNT: Terms (monthly/hourly): Rates per Exhibit B

ADDITIONAL COMMENTS AND/OR INFORMATION:

NOTIFY ACCOUNTING MANAGER IMMEDIATELY OF ANY CONTRACT TERMINATION

(Do Not Write Below This Line)

FOLLOW-UP CHECKLIST

_____ Fiscal approval	Date _____
_____ CONTRACTOR signed	Date _____
_____ Contract signed by BOC	Date _____
_____ Copies distributed	Date _____



Contract Review Sheet

Staff Contact: Kalena Plath Phone Number (Ext): 2428

Department: Health Services- Mental Health Consent Calendar Date: 7/22/15

Contractor Name: Scott Anderson

Address: 975 Windgate St S

City, State, Zip: Salem, OR 97302

Effective Dates - From: 07/01/15 Through: 6/30/16

Contract Amount: \$ variable dependent upon services provided

Background:

Scott Anderson has agreed to provide mental health/on-call crisis services to referred Polk County Mental Health individuals.

Discussion:

Scott Anderson meets the criteria for a service provider and has been cleared to work with us through a criminal history records review.

Fiscal Impact:

The Mental Health Services budget has sufficient expenditure authority to accommodate this contract. The 2015-2016 Mental Health Outpatient budget was prepared in anticipation of this agreement. There is no other fiscal impact to the Mental Health budgets, FTE, or County general fund.

Recommendation:

It is recommended that the Board of Commissioners sign the contract agreement Polk County and Scott Anderson.

Copies of signed contract should be sent to the following:

Name: Kalena Plath E-mail: plath.kalena@co.polk.or.us

Name: Sara Dotson E-mail: dotson.sara@co.polk.or.us

Name: _____ E-mail: _____

CONTRACT & AGREEMENT SUMMARY

CONTRACT NO.:

DEPARTMENT: BEHAVIORAL HEALTH

CONTACT PERSON: NOELLE CARROLL

DATE ISSUED: JUNE 18, 2015

CONTRACTOR: SCOTT ANDERSON

975 WINDGATE ST S

SALEM OR 97302

SS#/I.D.#: On file

SERVICES PROVIDED: To provide after hours crisis on-call services for Polk County Behavioral Health.

EFFECTIVE DATES: From: 7-1-15 Through: 6-30-16

BUDGET LINE NUMBER(S): 240-8540-540-M25

DOLLAR AMOUNT: Terms (monthly/hourly): Rates per Exhibit B

ADDITIONAL COMMENTS AND/OR INFORMATION:

NOTIFY ACCOUNTING MANAGER IMMEDIATELY OF ANY CONTRACT TERMINATION

(Do Not Write Below This Line)

FOLLOW-UP CHECKLIST

Fiscal approval Date
CONTRACTOR signed Date
Contract signed by BOC Date
Copies distributed Date



Contract Review Sheet

Staff Contact: Kalena Plath Phone Number (Ext): 2428

Department: Health Services- Mental Health Consent Calendar Date: 7/2215

Contractor Name: Samantha Stephens

Address: 1210 45th NE

City, State, Zip: Salem, OR 97301

Effective Dates - From: 07/01/15 Through: 6/30/16

Contract Amount: \$ variable dependent upon services provided

Background:

Samantha Stephens has agreed to provide mental health services to referred Polk County Mental Health individuals.

Discussion:

Samantha Stephens meets the criteria for a service provider and has been cleared to work with us through a criminal history records review.

Fiscal Impact:

The Mental Health Services budget has sufficient expenditure authority to accommodate this contract. The 2015-2016 Mental Health Outpatient budget was prepared in anticipation of this agreement. There is no other fiscal impact to the Mental Health budgets, FTE, or County general fund.

Recommendation:

It is recommended that the Board of Commissioners sign the contract agreement Polk County and Samantha Stephens.

Copies of signed contract should be sent to the following:

Name: Kalena Plath E-mail: plath.kalena@co.polk.or.us

Name: Sara Dotson E-mail: dotson.sara@co.polk.or.us

Name: _____ E-mail: _____

CONTRACT & AGREEMENT SUMMARY

CONTRACT NO.:

DEPARTMENT: BEHAVIORAL HEALTH

CONTACT PERSON: NOELLE CARROLL

DATE ISSUED: JUNE 18, 2015

CONTRACTOR: SAMANTHA STEPHENS

1210 45TH NE

SALEM, OR 97301

SS#/I.D.#: on file

SERVICES PROVIDED: To provide after hours crisis on-call services for Polk County Behavioral Health.

EFFECTIVE DATES: From 7/01/15 Through: 6/30/16

BUDGET LINE NUMBER(S): 240-8540-540-M25

DOLLAR AMOUNT: Terms (monthly/hourly): Rates per Exhibit B

ADDITIONAL COMMENTS AND/OR INFORMATION:

NOTIFY ACCOUNTING MANAGER IMMEDIATELY OF ANY CONTRACT TERMINATION

(Do Not Write Below This Line)

FOLLOW-UP CHECKLIST

<u> </u> Fiscal approval	Date <u> </u>
<u> </u> CONTRACTOR signed	Date <u> </u>
<u> </u> Contract signed by BOC	Date <u> </u>
<u> </u> Copies distributed	Date <u> </u>



Contract Review Sheet

Staff Contact: Kalena Plath Phone Number (Ext): 2428

Department: Health Services- Mental Health Consent Calendar Date: 7/22/15

Contractor Name: Kinsey Miller

Address: P.O. Box 5565

City, State, Zip: Salem, OR 97304

Effective Dates - From: 07/15/15 Through: 6/30/16

Contract Amount: \$ variable dependent upon services provided

Background:

Kinsey Miller has agreed to provide mental health services to referred Polk County Mental Health individuals.

Discussion:

Kinsey Miller meets the criteria for a service provider and has been cleared to work with us through a criminal history records review. The requested rate increase for billable service units has been evaluated, deemed acceptable and is fiscally appropriate for the services provided by the contractor.

Fiscal Impact:

The Mental Health Services budget has sufficient expenditure authority to accommodate this contract. There is no other fiscal impact to the Mental Health budgets, FTE, or County general fund.

Recommendation:

It is recommended that the Board of Commissioners sign the contract modification between Polk County and Kinsey Miller.

Copies of signed contract should be sent to the following:

Name: Kalena Plath E-mail: plath.kalena@co.polk.or.us

Name: Sara Dotson E-mail: dotson.sara@co.polk.or.us

Name: _____ E-mail: _____

POLK COUNTY CONTRACT NO. 15-137

CONTRACT & AGREEMENT SUMMARY

DEPARTMENT: POLK COUNTY BEHAVIORAL HEALTH

CONTACT PERSON: KALENA PLATH

DATE ISSUED: JULY 15, 2015

CONTRACTOR: P. KINSEY MILLER, MA
P.O. BOX 5565
SALEM, OR 97304
SS#/I.D.#: ON FILE

SERVICES PROVIDED UNDER ORIGINAL CONTRACT: To provide behavioral health counseling/treatment services to referred individuals for Polk County Behavioral Health.

MODIFICATION PURPOSE: To increase rate of pay for billable services from \$12.50 per unit to \$15.00 per unit.

EFFECTIVE DATES: From: July 15, 2015 Through: June 30, 2016

BUDGET LINE NUMBER(S): 240-8540-540-M20/M22

DOLLAR AMOUNT: Terms (monthly/hourly): Rates per Exhibits B

Total dollars for the COP Program: \$ VARIES

ADDITIONAL COMMENTS AND/OR INFORMATION:

NOTIFY ACCOUNTING MANAGER IMMEDIATELY OF ANY CONTRACT TERMINATION

(Do Not Write Below This Line)

FOLLOW-UP CHECKLIST

<u> </u> Fiscal approval	Date <u> </u>
<u> </u> Contractor signed	Date <u> </u>
<u> </u> Contract signed by BOC	Date <u> </u>
<u> </u> Copies distributed	Date <u> </u>



Contract Review Sheet

Staff Contact: Kalena Plath Phone Number (Ext): 2428

Department: Health Services- Mental Health Consent Calendar Date: 7/22/15

Contractor Name: Jack (Jay) Otterstrom

Address: P.O. Box 442

City, State, Zip: Independence, OR 97351

Effective Dates - From: 07/1/15 Through: 6/30/16

Contract Amount: \$variable dependent upon services provided

Background:

Jay Otterstrom has agreed to provide mental health services to referred Polk County Mental Health individuals.

Discussion:

Jay Otterstrom meets the criteria for a service provider and has been cleared to work with us through a criminal history records review.

Fiscal Impact:

The Mental Health Services budget has sufficient expenditure authority to accommodate this contract. The 2015-2016 Mental Health Outpatient budget was prepared in anticipation of this agreement. There is no other fiscal impact to the Mental Health budgets, FTE, or County general fund.

Recommendation:

It is recommended that the Board of Commissioners sign the contract agreement Polk County and Jay Otterstrom.

Copies of signed contract should be sent to the following:

Name: Kalena Plath E-mail: plath.kalena@co.polk.or.us

Name: Sara Dotson E-mail: dotson.sara@co.polk.or.us

Name: _____ E-mail: _____

CONTRACT & AGREEMENT SUMMARY

DEPARTMENT: POLK COUNTY BEHAVIORAL HEALTH

CONTACT PERSON: KALENA PLATH

DATE ISSUED: JUNE 25, 2015

CONTRACTOR: JACK L. OTTERSTROM
PO BOX 442
INDEPENDENCE, OR 97351

SS#/I.D.#: ON FILE

SERVICES PROVIDED: To provide services as outlined in exhibit B.

EFFECTIVE DATES: From: July 01, 2015 Through: June 30, 2016

BUDGET LINE NUMBER(S): 240-8540-540-M20/M22

DOLLAR AMOUNT: Terms (monthly/hourly): Rates per Exhibits B

Total dollars for the COP Program: \$ VARIES

ADDITIONAL COMMENTS AND/OR INFORMATION:

NOTIFY ACCOUNTING MANAGER IMMEDIATELY OF ANY CONTRACT TERMINATION

(Do Not Write Below This Line)

FOLLOW-UP CHECKLIST

<u> </u> Fiscal approval	Date <u> </u>
<u> </u> Contractor signed	Date <u> </u>
<u> </u> Contract signed by BOC	Date <u> </u>
<u> </u> Copies distributed	Date <u> </u>



Contract Review Sheet

Staff Contact: Kalena Plath Phone Number (Ext): 2428

Department: Health Services Consent Calendar Date: 7/22/15

Contractor Name: Marion County PCC

Address: 3180 Center St NE 2100

City, State, Zip: Salem, OR 97301

Effective Dates - From: 06/01/15 Through: 06/30/15

Contract Amount: \$40,000, not to exceed

Background:

Polk County has contracted with Marion County the past several fiscal years to provide appropriate crisis, respite, referral, or other related urgent care services to all Polk County residents who arrive at Marion County Psychiatric Crisis Center (PCC), or the Salem Hospital Emergency Department at any hour, day or night. Marion Co. also provides Mental Health Crisis Associates to serve Polk residents.

Discussion:

Marion County has agreed to continue to provide urgent care services as approved by Polk County. The total contract amount is \$40,000, effective July 1, 2015 through June 30, 2016.

Fiscal Impact:

The Mental Health Services budget has sufficient expenditure authority to accommodate this contract. The 2015-2016 Mental Health Outpatient budget was prepared in anticipation of this agreement. There is no other fiscal impact to the Mental Health budgets, FTE, or County general fund.

Recommendation:

It is recommended that the Board of Commissioners sign the contract agreement Polk County and Marion County PCC.

Copies of signed contract should be sent to the following:

Name: Kalena Plath E-mail: plath.kalena@co.polk.or.us

Name: Linda Wilson E-mail: Originals by mail, please.

Name: _____ E-mail: _____

POLK COUNTY CONTRACT NO. 15-139

CONTRACT & AGREEMENT SUMMARY

CONTRACT NO.: _____

DEPARTMENT: POLK COUNTY BEHAVIORAL HEALTH

CONTACT PERSON: NOELLE CARROLL

DATE ISSUED: JUNE 30, 2015

CONTRACTOR: MARION COUNTY PCC
3180 CENTER STRBET NE #2100
SALEM, OR 97301
SSH/I.D.#: 93-6002307

SERVICES PROVIDED: Marion County to provide appropriate crisis evaluations, referral, or other related hospital diversion services to all Polk County residents who arrive at Marion County Psychiatric Crisis Center (PCC), or the Salem Hospital Emergency Department at any hour of the day or night, as outlined in Section 1, Services.

In addition, Marion County will provide services of Behavioral Health Crisis Associates within Polk County as outlined in Appendix B - Addendum.

EFFECTIVE DATES: From: 07/01/15 Through: 06/30/16

BUDGET LINE NUMBER(S): 240-8540-540-M25

DOLLAR AMOUNT: Terms (monthly/hourly): Urgent Care Services - \$2,666.67/month
Crisis Associate Services -
(Rates as per Appendix B)

Maximum dollar amount: Urgent Care Services: \$32,000.00
Crisis Associate Services: up to \$8,000.00

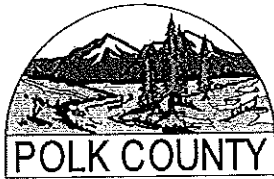
ADDITIONAL COMMENTS AND/OR INFORMATION:

NOTIFY ACCOUNTING MANAGER IMMEDIATELY OF ANY CONTRACT TERMINATION

(Do Not Write Below This Line)

FOLLOW-UP CHECKLIST

_____ Fiscal approval	Date _____
_____ Contractor signed	Date _____
_____ Contract signed by BOC	Date _____
_____ Copies distributed	Date _____



Contract Review Sheet

Staff Contact: Kalena Plath Phone Number (Ext): 2428

Department: Health Services-BH Consent Calendar Date: 7/22/15

Contractor Name: MVBCN

Address: _____

City, State, Zip: _____

Effective Dates - From: 09/01/14 Through: 06/30/15

Contract Amount: \$241,606.25

Background:

This is a block grant recently received by MVBCN on behalf of the participating Counties from Oregon Health Authority. The county is to develop an ACT program in a manner that is consistent with Fidelity standards established in OAR. This is an amendment increasing the original contract funding and services provided.

Discussion:

This amendment is increasing the number of slots allocated to Polk County for the Rental Assistance and Supported Housing Services. The County receives this funding to develop an ACT program that is consistent with Fidelity standards as defined by OAR 309-016-0840 through 309-016-0855 within County service area.

Fiscal Impact:

The Behavioral Health budget for 2014-15 was not prepared with this revenue nor associated expenditures included. The budget may require an appropriation modification. There are no other impacts to the Behavioral Health budget, FTE, or County General Fund.

Recommendation:

It is recommended that the Board of Commissioners sign the contract amendment #1 to 14-136 between Polk County and MVBCN.

Copies of signed contract should be sent to the following:

Name: Kalena Plath E-mail: plath.kalena@co.polk.or.us

Name: Cheryl Henning E-mail: chenning@mvbcn.org

Name: _____ E-mail: _____

AMENDMENT # 1

The Professional Services Agreement between MID-VALLEY BEHAVIORAL CARE NETWORK and POLK COUNTY, executed in August 2014, is amended by agreement of the parties in the following respects:

1. This Amendment is effective retroactively for the period of September 1, 2014, through June 30, 2015.
2. Section 3 in the main body of the Agreement is modified as follows:
 - a. The maximum amount allowable for staff and administration/overhead under the Agreement is increased by \$34,843.25 from \$52,763 to \$87,606.25. The maximum amount allowable for reimbursement of rental assistance and/or move-in expenses under the Agreement is increased by \$70,000 from \$84,000 to \$154,000.
3. Section 2 in Attachment A: Statement of Work (Rental Assistance and Supported Housing Services) is modified as follows:
 - a. The number of "slots" allocated to CONTRACTOR is increased by 10 (ten) from 5 (five) to 15 (fifteen).
4. Section 4(b) in Attachment A is modified as follows:
 - a. The Full-Time Equivalent (FTE) that CONTRACTOR shall assign to serve as a residential support specialist is increased by 0.33 FTE from 0.25 FTE to 0.58 FTE.
5. The following is added to the disbursement table in Section 4(b)(i) in Attachment A:

<i>Contract Period</i>	<i>Staff Funds</i>	<i>Administration/ Overhead Funds</i>	<i>Disbursement Schedule</i>
September 1, 2014, through June 30, 2015	\$30,042	\$4,801.25	Upon execution of this Amendment

6. All other provisions of the original Agreement remain unchanged and in effect.

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POLK COUNTY

Staff Contact: Brent DeMoe Phone Number (Ext): 2428

Department: FCO Consent Calendar Date: 7/22/15

Contractor Name: DHS-Child Welfare

Address: 4600 NE 25th Av Ste 110

City, State, Zip: Salem, OR 97301

Effective Dates - From: 07/01/15 Through: 06/30/17

Contract Amount: \$360,000

Background:

Strengthening, Preserving, and Reunifying Families (SPRF) Program was created through Oregon legislature with the goal of reducing trauma to children who are removed from their families, reducing the number of children in the foster care system and maintaining children in their homes, through the use of community support and intervention services.

Discussion:

Polk County's Family Resource Navigator will work with clients through direct referrals from DHS caseworkers, to achieve the goals of the SPRF program. DHS will pay the County \$15,000 per month to provide these services.

Fiscal Impact:

The Family and Community Outreach budget has sufficient expenditure authority to accommodate this contract. The 2015-2017 FCO budget was prepared in anticipation of this agreement. There is no other fiscal impact to the budget, FTE, or County general fund.

Recommendation:

It is recommended that the Board of Commissioners sign the contract agreement Polk County and DHS- Child Welfare.

Copies of signed contract should be sent to the following:

Name: Kalena Plath E-mail: plath.kalena@co.polk.or.us

Name: Brent DeMoe E-mail: demoe.brent@co.polk.or.us

Name: Tami Goertzen E-mail: tami.j.goertzen@state.or.us



Agreement Number 148926

**STATE OF OREGON
INTERGOVERNMENTAL AGREEMENT**

In compliance with the Americans with Disabilities Act, this document is available in alternate formats such as Braille, large print, audio recordings, Web-based communications and other electronic formats. To request an alternate format, please send an e-mail to dhs-oha.publicationrequest@state.or.us or call 503-378-3486 (voice) or 503-378-3523 (TTY) to arrange for the alternative format.

This Agreement is between the State of Oregon, acting by and through its Department of Human Services, hereinafter referred to as "DHS" and

**Polk County
Acting by and through its Family and Community Outreach
182 SW Academy Street, Suite 220
Dallas, OR 97338
Telephone: 503 / 623-9664
E-mail address: demoe.brent@co.polk.or.us**

hereinafter referred to as "County."

Work to be performed under this Agreement relates principally to DHS'

**Child Welfare
District 3 – Marion, Polk and Yamhill Counties
4600 NE 25th Ave Suite # 110
Salem, OR 97301
Agreement Administrator: Tamara Miller or delegate
Telephone: 503 / 623-9664
E-mail address: demoe.brent@co.polk.or.us**