

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

February 19, 2003

The Columbia County Board of Commissioners met in scheduled session with Commissioner Joe Corsiglia, Commissioner Rita Bernhard and Commissioner Anthony Hyde, together with John Knight, County Counsel and Jan Greenhalgh, Board Secretary.

Commissioner Corsiglia called the meeting to order and led the flag salute.

MINUTES:

Commissioner Bernhard moved and Commissioner Hyde seconded to approve the minutes of the February 11, 2003 Work Session and the February 12, 2003 Board meeting. The motion carried unanimously.

PUBLIC HEARING: LIVESTOCK KILL - MARUGG v. BURDETTE:

Shawn Barrett, Animal Control Officer, gave the Board an update. Mr. Marugg has reimbursed the County for all costs involved with this. Mr. Burdette informed Shawn this morning that he has accepted an amount of money from Mr. Marugg as payment for the animals he lost. Shawn feels that this matter has now been resolved, as far as Animal Control is concerned.

John Knight reviewed the statutes, which requires the Board to make a determination on whether the dog has been engaged in killing, chasing or harassing livestock, based upon the complaint that was received and the evidence. At this point, John would propose that Mr. Marugg withdraw his request for a hearing and, if there are no further incidents in the next 60 days, the \$500 penalty would be waived. Mr. Marugg agreed with that. Mr. Burdette stated that he was satisfied with the outcome. After explanation and discussion on the options, Commissioner Bernhard moved and Commissioner Hyde seconded to make the determination that Mr. Marugg's dog was engaged in killing/chasing/harassing/wounding livestock and, based on the satisfaction of Mr. Burdette and the deportation of the dog, that the County waive the penalty. The motion carried unanimously.

CONSENT AGENDA:

Commissioner Corsiglia read the consent agenda in full. With that, Commissioner Bernhard moved and Commissioner Hyde seconded to approve the consent agenda as follows:

- (A) Ratify the Select to Pay for 2/18/03.
- (B) Order No. 6-2003, "In the Matter of Directing the Columbia County Tax Collector to Cancel Personal Property Taxes on Personal Property Account #0108 P 126018, Pursuant to ORS 90.675 and 311.790".

- (C) Order No. 11-2003, "In the Matter of Releasing a Reclamation Bond filed by Willamette Industries (Oak Ranch Pit)".
- (D) Order No. 12-2003, "In the Matter of Conveying Certain County Owned Real Property to the Rainier School District".
- (E) Approve Bond #58241139 for Fredric E. Fetterly, Sr., Fair Board member.
- (F) 2003 Liquor License Renewals for:
 - Scipio's Goble Landing;
 - B&B Market.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (G) Amendment #2 to contract between CCCCCF and Northwest Regional Education Service District for "Court Appointed Special Advocates (CASA)".
- (H) Amendment #42 to the 2001-2003 County Financial Assistance Agreement #05-001 with State Mental Health.
- (I) Approve Bargaining Agreement with AFSCME Local 697, effective 7/1/02 through 6/30/05.

The motion carried unanimously.

CDBG PROJECT #H020018, NORTHWEST REGIONAL HOUSING CENTER:

Rocky Johnson, Executive Director of Community Action Team, was present to answer any questions. John Knight reviewed the grant agreement and what it provides for. Jim Tierney submitted this grant application back in June 2002, but it wasn't approved until January 2003. The time period for performance expires in June 2003, so we need to move forward on this. Also, there needs to be a sub-contract with Community Action Team for this and John will be working on that right away. At this time, John would recommend approval. With that, Commissioner Hyde moved and Commissioner Bernhard seconded to approve the CDBG Project Grant #H020018 for Northwest Regional Housing Center. The motion carried unanimously.

REQUEST BY COLUMBIA PACIFIC FOOD BANK FOR WAIVER OF FEE:

The Board received a request from the Columbia Pacific Food Bank to waive the fee for mailing labels for their fundraising campaign. Jan obtained information from the accounting department that the cost would be approximately \$228.00. Commissioner Bernhard has no problem with waiving this. The County needs to do their part in helping out the community. Commissioner Hyde anticipates that there will be a number of requests for general fund dollars from outside agencies during the budget process. However, there will be a reduced ability to provide those

monies. This is a way the County can help out. Commissioner Corsiglia is always cautious when considering fee waivers, however the Food Bank serves the entire county. With that, Commissioner Bernhard moved and Commissioner Hyde seconded to approve the request for a waiver, for an amount not to exceed \$200.00. The motion carried unanimously.

FTA GRANT:

John Knight explained that Cynthia Zemaitis has been authorized to work on this grant and the application process. If we are successful in obtaining this \$112,000 grant, the process will be to contact service providers so they can submit proposals for that money. Once the application process is started, Cynthia will notify all interested providers.

MINERAL RIGHTS RESERVATION AGREEMENT:

John Knight gave some background on this. Columbia Park is developing the Rainier Senior Center and the County owns the mineral rights on the property they plan to develop. They have asked that the County surrender their mineral rights to satisfy the lender. Because John informed them that the County does not surrender mineral rights, they drafted a proposed agreement that would hopefully satisfy the lender. John reviewed the agreement, which he has amended. They want to close on this by Friday and John feels it is reasonable to approve this agreement and not hold up the closing. With that, Commissioner Hyde moved and Commissioner Bernhard seconded to approve the Mineral Rights Reservation Agreement. The motion carried unanimously.

SCAPPOOSE OFFER - COUNTY PROPERTY:

Cynthia Zemaitis, Legal Assistant, explained that after the auction held last fall, there were four county-owned parcels that were offered to the City of Scappoose for \$1 each. The city accepted two of the parcels but declined to accept the other two (#3212-034-02100 & #3213-021-00622). Matt Laird discussed this with Jon Hanken, City of Scappoose, and eventually talked Jon into accepting the transfer of the two additional parcels, however the city would not pay the recording fee. Cynthia received a check for \$2. At this point, Cynthia needs direction from the Board on how to handle this. She noted that all other municipalities have paid recording fees without complaint, on the other hand, it would be in the County's best interest to rid itself of these two parcels. Commissioner Bernhard felt the city should be informed that if they want these properties, they need to pay the recording costs. John would suggest the County send the city an unrecorded deed. The Board didn't understand the unwillingness to pay the recording fees and agreed with John that the deeds be send to the city without being recorded.

COMMISSIONER CORSIGLIA COMMENTS:

Commissioner Corsiglia enjoyed being in Hawaii last week but is glad to be back.

COMMISSIONER BERNHARD COMMENTS:

Commissioner Bernhard attended the charity event held on Friday night out at the Fairgrounds for Sacagawea Health Center. It was very successful and very well attended. She was surprised by the amount of money the art work raised.

COMMISSIONER HYDE COMMENTS:

Commissioner Hyde reported on a bill that was introduced by the statewide PERS Task Force. If successful, it will go a long way towards fixing PERS.

The County received a letter from AOC asking that Columbia County join in a lawsuit with regards to the PERS Board determination of the new rate, which did not reflect Judge Lipscomb's findings. Last Friday, Judge Lipscomb heard from the appellants of this lawsuit asking for a stay and he said no. He also said a number of things about the PERS Board continuing to break the law. The County can either join in the lawsuit at a cost of \$150 or not. He would recommend the County pay the \$150. There is a resolution that has been prepared for Board approval. With no objections, Commissioner Hyde moved and Commissioner Bernhard seconded to approve Resolution No. 14-2003, "In the Matter of Authorizing the Association of Oregon Counties to Coordinate the Filing of an Appeal on the County's Behalf, from the Rate Increase Received from PERS". The motion carried unanimously.

Further, Commissioner Hyde moved and Commissioner Bernhard seconded to retain John W. Osburn of Mersereau & Shannon, LLP, remit \$150 for the appeal and authorize the Chair to sign the engagement. The motion carried unanimously.

Commissioner Hyde also testified last week in front of the House Revenue Committee on what counties do. He also testified in front of the General Government Committee. He is pleased to see that these committees that are made up of relatively green legislators and are asking the questions of what we do and how budget cuts impact us. There was also a meeting about SB1145 and Community Corrections. There is a lot of discussion about relinquishing SB1145 and turning Corrections back to the State. That would not take care of the problem, in fact it would compound the problem because the County can administer that program better than the State.

Commissioner Hyde reminded everyone that there will be an open house next Monday, February 24, 2003 at the Quincy Grange to review Phase I of the Port Westward Transportation Plan.

Next week, he will be in Washington, D.C. representing Oregon counties at the NACo Legislative conference.

COUNTY COUNSEL COMMENTS:

John reviewed Order No. 13-2003 and explained the purpose of this order. John recommended

approval. With that, Commissioner Hyde moved and Commissioner Bernhard seconded to approve Order No. 13-2003, "In the Matter of Dedicating Property Owned by Columbia County as Additional Right-of-Way for Public Road and Utility Purposes (Saulser Road)". The motion carried unanimously.

EXECUTIVE SESSION UNDER ORS 192.660(1)(h) - LITIGATION:

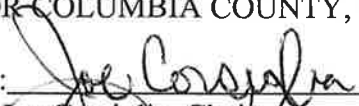
The Board recessed the regular session to go into Executive Session as allowed under ORS 192.660(1)(h). Upon coming out of Executive Session, no action was taken by the Board.

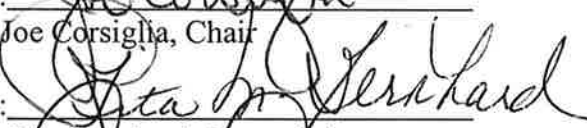
With nothing further coming before the Board, the meeting was adjourned.

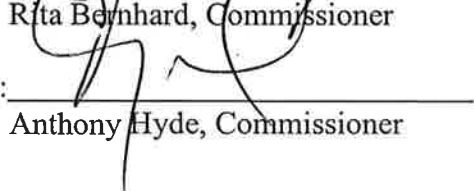
Dated at St. Helens, Oregon this 19th day of February, 2003.

NOTE: A tape of this meeting is available for purchase by the public or interested parties.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Joe Corsiglia, Chair

By: 
Rita Bernhard, Commissioner

By: 
Anthony Hyde, Commissioner

Recording Secretary:

By: 
Jan Greenhalgh