

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

March 5, 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, Sarah Tyson, Assistant 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 25, 2003 Work Session; February 26, 2003 Staff meeting; and February 26, 2003 Board meeting. The motion carried unanimously.

VISITOR COMMENTS:

Diane Pohl, PO Box 1022, Clatskanie: Diane read a prepared statement into the record addressing issues concerning the designation of Major Big Game Habitat in Primary Forest land use designation, particularly the density regulations. In 2002, the Commissioners heard from the citizens and residents of this county at three separate public meetings that the big game habitat issue needs to be addressed. The majority of citizens wanted the county to adopt minimum state land use standards. Diane understands that revisions are in the process, however it will be at least seven months until those revisions are ready for the adoption process. She is here before the Board to ask that the planning department be directed to address the big game habitat issue separately and to "fast-track" those revisions.

Commissioner Corsiglia is equally concerned about the progress on this issue. He would agree that the County needs to take a hard look at getting this back on track.

Shelly Shefstad, 22366 Lindberg Road, Clatskanie, came before the Board to explain her experience in applying for a conditional use permit. In January, she paid \$900 for a conditional use permit for a 6.8 acre piece of property. She informed the Planning Department that the property is in PF-76 and that she wanted to build a single family dwelling. The only issue at that time was, because of the fire break, she would need to build up to IR2 code. She did everything she was asked to do. A few weeks later she went to the Planning Department to get a septic approval. At that time, Jim Holycross informed her that staff would be recommending denial to the Planning Commission because of the Big Game Habitat. This is the first she heard about this so she did some research. It appears that when they did the template, there can only be one house per 38 acres in Primary Forest. In her template, there are 50 homes. She is in an impacted area and lived in her home for 25 years. Backing up, she called the County on February 21st and asked if her staff report had gone out. She was told it had. However, when she went to the Planning Department, she was informed that the staff reports did not go out because the hearing

date was bumped up to April 7th. She was not told before this that her hearing date was being changed. When she asked for a copy of the map out of the Comprehensive Plan, she was told that they don't even use that map. Although she is in an impacted area, it doesn't matter. If the property is in a PF-76 zone, it's major big game habitat and all criteria needs to be met. By this time, she was very upset. She spoke with Todd Dugdale and informed him that she wanted her \$900 back and he agreed. This is a very complicated process for the average citizen and when they get conflicting information, it makes it even harder. She just wanted the Board to know what the public is up against when they go to the Planning Department. She would appreciate anything the Commissioners can do to figure out the density issue with major big game habitat.

Commissioner Hyde appreciates this information because the Board needs to know what the citizens are up against in dealing with the big game habitat issue. The Board had instructed staff to work on this, and they are, however they are looking at broader changes in the ordinance. The Board heard loud and clear at the public meetings that this is a very big issue for many citizens. He had hoped this would be dealt with by now.

Commissioner Bernhard feels that once staff got into this issue, it became much more complex than they thought it would be. She is willing to talk with the Planning staff to see what can be done to move this forward now.

Commissioner Corsiglia feels the County cannot expect the average citizen to know all the planning laws. It is up to the County to make it more understandable. If something isn't done quickly on this issue, it will cost a lot of people a full building season.

CONSENT AGENDA:

- Commissioner Corsiglia read the consent agenda in full. With that, Commissioner Hyde moved and Commissioner Bernhard seconded to approve the consent agenda as follows:
 - (A) Ratify the Select to Pay for 3/4/03.
 - (B) Order No. 17-2003, "In the Matter of Conveying Certain County-Owned Real Property Known as Tax Account No. 01-01 3213-021-00622 to the City of Scappoose".
 - (C) Approve ODOT Right-of-Entry onto County Owned Property, Tax Account No. 3201-030-03200.
 - (D) 2003 Liquor License Renewals for:
 - Star Mart;
 - Deer Island Store;
 - Moose Lodge #591, St. Helens;
 - Multnomah Channel Yacht Club;
 - Vernonia Golf Club.

- (E) Approve the FY 2002 Supplemental All Hazards Emergency Operations Planning Grant Application.
- (F) Appoint Cindy Young to the Ambulance Service Area Advisory Committee for a three (3) year term.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (G) Amendment to Memorandum of Understanding between CCCCCF and the Juvenile Department for Juvenile Crime Prevention Plan, Intensive Probation.
- (H) Amendment #3 to contract between CCCCCF and St. Helens School District for Juvenile Crime Prevention Plan, Middle School Program.
- (I) Amendment #44 to the 2001-2003 County Financial Assistance Agreement #05-001 with State Mental Health.
- (J) Memorandum of Understanding for Courthouse Security Officer Training.
- (K) Amended walkway/bikeway project agreement.

The motion carried unanimously.

ORDER #16-2003 - HELANDER LIVESTOCK KILL:

Sarah reviewed discussion held last week on the complaint against David Helander regarding a livestock attack. After that discussion, it was the Board's decision to impose a civil penalty of \$1000. Sarah drafted an order and reviewed it at this time. There are a couple of issues that the Board needs to be aware of. The vet bill and call out fee in this case total \$671. She understood that the Board imposed the \$1000 civil penalty to help cover the \$671 fees. Sarah explained that, because of budget law, the \$1000 penalty would go into the General Fund and not to pay back the Animal Control fund. Therefore, Sarah added language in the order that, in addition to the \$1000 civil penalty, Animal Control would bill Mr. Helander for the \$671. Commissioner Bernhard feels that a \$1000 civil penalty and a \$671 fee is pretty steep. After discussion on the amount of penalty and how to get Animal Control reimbursed, the Board directed Sarah to change the order to reflect a total penalty of \$1,000. Once collected, Ruth Baker can transfer the \$671 from the general fund to Animal Control. Sarah will redraft the order for Board consideration.

COMMISSIONER CORSIGLIA COMMENTS:

Commissioner Corsiglia had no comments.

COMMISSIONER BERNHARD COMMENTS:

Commissioner Bernhard attended two town hall meetings held last week by Representative Johnson on budget cuts and effects on services. There were about 30-50 people in attendance at each meeting. There is definite interest out there on budget cuts and many were not happy with the outcomes.

On Saturday night, she attended "Casino Nights" which was a Rotary Club fund raiser. It was quite well attended.

COMMISSIONER HYDE COMMENTS:

Commissioner Hyde just got back from a week in Washington, D.C. He had the opportunity to meet with all of our legislators. He reported a number of funding issues and how those will effect Oregon and Columbia County.

COUNTY COUNSEL COMMENTS:

Last week the Board approved an agreement with Cowlitz County for Juvenile Detention Services. John had made a number of changes to the draft, which Cowlitz County agreed with, however there was some language they wanted taken out. John reviewed the changes and would ask that the Board approve this again with those changes. With that, Commissioner Bernhard moved and Commissioner Hyde seconded to approve the agreement with Cowlitz County, as amended by County Counsel. The motion carried unanimously.

John responded to some comments made by Diane Pohl earlier today. In her letter she made the statement for years, County Counsel interpreted the Zoning Ordinance and Comprehensive Plan to not apply the specific language in the Zoning Ordinance because it was in conflict with the Comprehensive Plan. To his knowledge that is not true. He has been here 16 years and doesn't remember the question coming up. However, he supports the idea of moving forward with amendments to the Zoning Ordinance.

The Board recessed the meeting at 11:10 a.m. and reconvened at 1:15 p.m. with all present.

Commissioner Corsiglia called the meeting back to order.

ORDER NO. 16-2003: HELANDER LIVESTOCK KILL:

Sarah has redrafted this order and is now ready for approval. After review, Commissioner Hyde moved and Commissioner Bernhard seconded to approve Order No. 16-2003, "In the Matter of Imposing a Civil Penalty Against David Helander for Hestekin Livestock Chase and Injury, Adopting Findings and Conclusions, and Authorizing Action". The motion carried unanimously.

RICH YOUNG PROPERTY DISCUSSION:

Those present for discussion were: Commissioner Corsiglia, Commissioner Bernhard, Commissioner Hyde, Todd Dugdale, Janet Wright, John Knight, Ann Beyer of DLCD, working under contract with FEMA, Jim Kessi, Bob Kessi and Rick Young.

Todd Dugdale gave some background on a piece of property located on Scappoose Vernonia Hwy and Hwy 30. There have been several development efforts on this property over the years. Recent efforts have run into a problem involving a FEMA flood plain map. FEMA has admitted that there is an error in map, however, there is process that needs to be followed to correct the map.

After discussion, the Board agreed that an application needs to be filed for a FEMA map amendment and to hold a meeting on Wednesday, March 12, 2003 at 1:00 to hear from all effected property owners.

There was no Executive Session held.

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

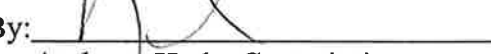
Dated at St. Helens, Oregon this 5th day of March, 2003.

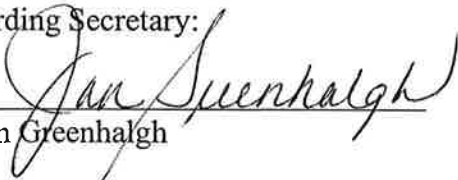
NOTE: A tape of this meeting is available for purchase by the public or interested parties.

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