

COLUMBIA COUNTY BOARD OF COMMISSIONERS  
BOARD MEETING

MINUTES

May 14, 2003

The Columbia County Board of Commissioners met in scheduled session with Commissioner Joe Corsiglia, Commissioner Rita Bernhard and Commissioner Anthony Hyde, together with Sarah Tyson, Assistant County Council and Jan Greenhalgh, Board Secretary.

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

**MINUTES:**

Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve the minutes of the May 7, 2003 Staff meeting and the May 7, 2003 Board meeting. The motion carried unanimously.

**VISITOR COMMENTS:**

None.

**PUBLIC HEARING: MORSE BROS. SURFACE MINING APPLICATION - REICHOLD SITE:**

As scheduled, the public hearing, "In the Matter of the Application by Morse Bros., Inc. for a New Surface Mining Operating Permit at the Reichold Site", was held.

The Board expressed no exparte contact or conflicts of interest. Sarah noted all applicable criteria pertaining to this application and read the pre-hearing statement into the record as required by ORS 197.763. Sarah went over the hearing procedure and gave some brief background on this application.

The hearing was opened for testimony.

Todd Dugdale, LDS Director, noted a correction on the Board Communication. It states that owners of record within 500 feet from the site were notified. In fact, owners within 1000 feet were given notice.

Carla Cudmore, Surface Mining Operator, presented the staff report and explained the purpose of this application. The applicant has completed the surface mining application and submitted a reclamation plan. The applicant has agreed to post a \$42,500 bond as financial security for the reclamation of the site. No public comments have been received on this application. In summary, staff and the Surface Mining Advisory Committee would recommend that this application be approved with the 43 conditions.

Commissioner Corsiglia asked about condition #14 about the "not more than 10% of the

aggregate shall leave the site...”, does that also apply to the reclamation process as far as bringing in material. Carla stated that most of the material will be stored on site, but any material coming in has not been discussed.

Sarah entered County Counsel’s hearing file into the record as Exhibit “1” and noted all contents.

**PROPONENTS:**

***Brian Gray, Operations Manager for Morse Bros., Inc.:*** Brian explained that this is the final phase and process for beginning operations at the Waterview site. He posted aerial maps for Board review. Back in February 2002, the Board ratified Ordinance No. 2002-1, which approved the land use decision to allow mining on the Reichold site and the reclamation plan. The permit had 24 conditions of approval, which came out of 8 public hearings. Brian would like to take the time to recognize the Planning Department staff, County Counsel’s office and the Planning Commission. They worked very hard over the 4-5 months in reviewing these permits. They took time out of their schedules to visit the sites, attend the light and noise demonstrations, and the public hearings. The Planning Commission approved all five (5) permits and added 57 more conditions of approval to the existing 24 conditions for both the Waterview and Reichold sites. Brian asked that the Board approve this permit, as recommended.

***Steve Schell, 805 SW Broadway, Portland:*** Steve responded to Commissioner Corsiglia’s earlier question. He referred to condition #19 which states “*To ensure the site is reclaimed as proposed, the applicant shall only excavate gravel from beneath the specified reclamation elevations to the extent that available fill has been documented to be available. Documentation of suitable amounts of fill must be supplied to the County annually beginning on the second July 1<sup>st</sup> after wet mining commences*”. When mining goes into the water table, the County will conduct annual reviews on information submitted to be sure that is being done. The basic idea is that, even if DOGAMI takes over operation, it will still have the opportunity to come back to the County for review.

**OPPONENTS:**

None.

Sarah pointed out that there are several conditions associated with this application and Steve Schell has graciously put together an executive summary which lists all of those conditions. She has not fully reviewed this yet but will before completing the final order.

With no further testimony, the hearing was closed for deliberation. Commissioner Hyde moved and Commissioner Bernhard seconded to approve the operating permit #05-00776 for Morse Bros., Reichold site to include the 203 acres on tax lots 5117-000-00300 and 5117-000-00200 subject to staff recommendations and conditions as stated. The motion carried unanimously.

**PUBLIC HEARING: MORSE BROS. SURFACE MINING APPLICATION -  
WATERVIEW SITE:**

As scheduled, the public hearing, "In the Matter of the Application by Morse Bros., Inc. for a New Surface Mining Operating Permit at the Waterview Site", was held.

The Board expressed no exparte contacts or conflicts of interest. Sarah reviewed the applicable criteria pertaining to this application. She noted that the pre-hearing statement read in the previous hearing also applies to this hearing. She noted all applicable criteria.

The hearing was opened for testimony.

Todd Dugdale, LDS Director, gave a brief background on this application. As with the previous hearing, notice was mailed to property owners of record within 1000 feet.

Carla Cudmore, Surface Mining Administrator, presented the staff report and reviewed the purpose of this application. The applicant has submitted the application along with the \$900 fee and a reclamation plan. The applicant has also agreed to post a \$10,000 bond as financial security for the reclamation of the site. No public comments were received. Based on the findings, staff and the Surface Mining Advisory Committee recommend approval of this application with the 36 conditions noted.

Sarah entered County Counsel's hearing file marked Exhibit "1" into the record and noted all contents.

Commissioner Bernhard finds it interesting that there has been no public comment on either of these applications. She assumes that is because there has already been several public hearings and citizens have already voiced their concerns. It's great to see that Morse Bros. has responded to all of those concerns and she appreciates that. It shows that Morse Bros. has tried hard to work with the community.

**PROPONENTS:**

***Brian Gray, MBI Operations Manager:*** Brian responded to Commissioner Bernhard's comments and appreciates them. It is a reward, over a 5-6 year period, that there is no one here today to give testimony. Brian feels that they have tried hard to work with the neighbors, the city and the County. This site actually came out of discussions as an alternate to railing materials from the Reichold site to the Deer Island site for processing then having to truck to a barge loading facility in Columbia City. Therefore, the processing will be moved to the Waterview site. Everyone involved believes this to be a good alternative. With that, he would ask that the Board approve this application.

**OPPONENTS:**

None.

With no further testimony coming before the Board, the hearing was closed for deliberation. Commissioner Hyde moved and Commissioner Bernhard seconded to approve the operating permit #05-0078 for Morse Bros., Waterview Site to include the 97 acres on portions of tax lots 5117-00-00200, 5116-000-00300, 5116-000-00301, 5116-000-00201, and 5121-000-00100 on staff recommendations and conditions. The motion carried unanimously.

**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 5/13/03.
- (B) Resolution No. 32-2003, "In the Matter of Appointing William L. Boysen as Justice of the Peace, Pro Tempore, for the Clatskanie-Vernonia Justice Court".
- (C) Resolution No. 33-2003, "In the Matter of Authorizing the Submittal of a Grant Application for a Local Government Grant from the Oregon Parks & Recreation Department for Acquisition of the Crown Zellerbach Logging Road, Columbia County, Oregon, and Authorizing the Board Chair to sign the Application".
- (D) Authorize Phil Derby to fill the position of Civil Clerk in the Sheriff's Office.
- (E) Reappoint Steve Atchison, Mike Cocklin, Jan Kenna Steve Reed, Berkeley Smith and Bob Schmor to the Local Public Safety Coordinating Council for a three (3) year term.
- (F) Authorize Dave Hill to advertise bids for the Port Westward Road Improvement Project.

**AGREEMENTS/CONTRACTS/AMENDMENTS:**

- (G) Intergovernmental Agreement between the Oregon Department of Fish and Wildlife and the Columbia County Sheriff's Office.
- (H) Amendment No. 1 to Slape/Avent Agreement.

The motion carried unanimously.

**COMMISSIONER CORSIGLIA COMMENTS:**

Just another busy week.

**COMMISSIONER BERNHARD COMMENTS:**

Commissioner Bernhard has spent a lot of time the last couple days working with AAA and COLCO issues and hopefully everything will work out for the best.

On Saturday, she attended two town hall meetings hosted by Senator Joan Dukes. One discussion item was about the possibility of an RV facility in Vernonia for the Lewis & Clark celebration. Grant funding may be available for this project.

**COMMISSIONER HYDE COMMENTS:**

Commissioner Hyde reported on the PERS issue. With the bill that was signed by the Governor, we can expect an 8% decrease in our rate. This goes a long way in stopping the erosion of State and local governments. There is a recommendation that we don't spend that money because this will be challenged in court.

There is another bill being introduced tomorrow that was crafted by AOC. This bill will ease some of the state statutes mandating required services if the funds are not available. It basically says that counties will provide these services, subject to available funds. This is a very important bill for counties.

Tomorrow, the revenue forecast will be out. We know it will be down, but we don't know how far down that is.

**COUNTY COUNSEL COMMENTS:**

None.

**EXECUTIVE SESSION UNDER ORS 192.660(1)(d) - BARGAINING:**

The Board recessed the regular session to go into Executive Session as allowed under ORS 192.660(1)(d). While in session, the Board went into an emergency Executive Session as allowed under ORS 192.660(1)(f), Exempt Records. Upon coming out of Executive Session, no action was taken by the Board.

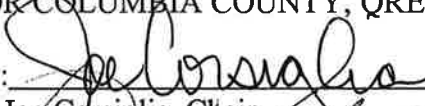
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With nothing further coming before the Board, the meeting was adjourned.

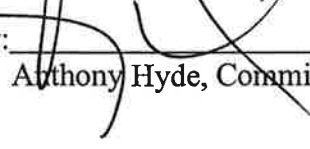
Dated at St. Helens, Oregon this 14<sup>th</sup> day of May, 2003.

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