

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

July 16, 2003

The Columbia County Board of Commissioners met in scheduled session with Commissioner Joe Corsiglia and Commissioner Rita Bernhard, together with John Knight, County Counsel, Sarah Tyson, Assistant County Counsel, and Jan Greenhalgh, Board Secretary. Commissioner Hyde was not present for the morning session.

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

PRESENTATION TO DON & BEVERLY LEE:

The Board presented Don & Beverly Lee with a certificate of appreciation for all the work they have put into making the waterfront at the Courthouse look beautiful. The Board thanked the Lee's again.

MINUTES:

Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve the minutes of the July 8, 2003 Work Session; July 9, 2003 Staff meeting and July 9, 2003 Board meeting. The motion carried unanimously.

PUBLIC HEARING: DAVID KLEIN ZONE CHANGE FROM SM TO RR-5:

As scheduled, the public hearing, "In the Matter of the Application of David Klein for a Comprehensive Plan Map Amendment and Zone Change from Surface Mining (SM) to Rural Residential-5 (RR-5)", was held.

Sarah Tyson has prepared an ordinance (2003-4) for Board consideration. Sarah reviewed the purpose of this application and went over the process. It is up to the Board to decide if they want to hold a hearing or consider this application on the record of the Planning Commission. The Board agreed to hold the hearing on the record of the Planning Commission.

The Board stated they had no conflicts of interest or exparte contact. Sarah then read the pre-hearing statement into the record as required under ORS 197.763.

Glen Higgins, Chief Planner, came before the Board to give the staff report, reviewing the applicable criteria and staff findings. The Surface Mining Advisory Committee has no concerns with this zone change. Further, no comments in opposition were received on this application. The Planning Commission held a hearing on this application on June 2, 2003 and recommended approval.

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

At this time, the hearing was opened for public testimony.

PROPONENTS:

Tony Klein, 168 Bozarth Heights Road, Woodland, Washington, 98674: He is here representing his father, David Klein, who couldn't be here today. Mr. Higgins covered this very well and would just add the request to have this application approved.

OPPONENTS:

None.

With that, the hearing was closed for deliberation. The Board felt that because all criteria has been met and there is no opposition, they see no reason to deny the application. Sarah stated that this would be approved by ordinance and there needs to be two readings, one today and one in 14 days. Once the second reading is held, the ordinance can be adopted. Sarah gave the first reading of Ordinance No. 2003-4 by title only. The second reading will be held on July 30, 2003 at or after 10:00 a.m.

VISITOR COMMENTS:

Todd Dugdale, LDS Director, was notified this morning that Jeff Carlson, Building Inspector II, has resigned. Because of the work load, Todd is requesting authorization to move forward with filling this position immediately. He believes there is a current list of applicants he can look at. With that, Commissioner Bernhard moved and Commissioner Corsiglia seconded to authorize Todd to begin recruitment to fill the Building Inspector II position. The motion carried unanimously.

CONSENT AGENDA:

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

- (A) Ratify the Select to Pay for 7/15/03.
- (B) Order No. 55-2003, 'In the Matter of Conveying Certain County-Owned Real Property Known as Tax Account Nos. 01-10 4119-014-00800, 4119-014-0100 and 4119-014-01100 to James E. Bennett and Dorothy Bennett'.
- (C) Order No. 56-2003, "In the Matter of Conveying Certain Real Property to Arthur C. Nelson [Properties in Hillcrest Part 1]".

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (D) Rental Agreement with Linda Estavillo for Camp Wilkerson.

- (E) Grant Award Conditions and Certifications for State Domestic Preparedness Equipment Program Grant #03-115.

The motion carried unanimously.

APPOINTMENT TO SCAPPOOSE PUBLIC LIBRARY DISTRICT BOARD:

The Board has received a request from the Scappoose Public Library Board of Directors to make an appointment. It appears that Board is unable to reach a majority/quorum for the purpose of filling an existing vacancy. After some discussion, it was decided to hold this matter over for one week when the full Board would be present.

PORT WESTWARD BIDS:

Dave Hill, Public Works Director, came before the Board to review the bids received for the Port Westward Road Improvements, Phase 1. The lowest bidder is Big River Excavation, Inc. at \$2,665,233.03. Dave checked a number of references which were positive. Based on that information, Dave would recommend awarding the bid to Big River Excavation, Inc., contingent upon a building permit application at Port Westward. Sarah stated that the contract would reflect that it would be contingent upon a building permit application. After discussion, Commissioner Bernhard moved and Commissioner Corsiglia seconded to award the contract to Big River Excavation, Inc. for the Port Westward Road Improvements, Phase 1, and directed staff to prepare a contract, including language that it would be contingent upon a building permit being obtained by Cascade Grain, Summit, or PGE. The motion carried unanimously.

REQUEST TO USE BOW/ARROWS AT CAMP WILKERSON & HUDSON PARK:

Dave Hill reviewed these two requests. Camp Wilkerson requests this annually and it has always been approved. This is a new request for Hudson Parcher Park and after review, Dave would recommend approval. Sarah will draft a Board order for approval next week.

PUBLIC TRANSIT VEHICLE REPAIRS:

John Knight went over repairs that have already been done and additional repairs that are needed on the buses. He has already approved some repairs because these buses need to be back on the road. However, John needs some direction from the Board on where the funds will come from for the repairs and other operating expenses. He has concerns that with all funding being received, it will still not be enough to cover all expenses. Expenses are being incurred and he is not sure how they will be paid. The Board agrees that the vehicles need to be fixed and on the road, but any expenses need careful consideration. There is \$50,000 in the budget for senior services. Out of that, \$5,000 is going to Community Action Team for AAA services and \$25,000 has been promised to each senior center to offset transportation costs. After some discussion, the matter was held over until Commissioner Hyde was present.

While in attendance, John reported on the issues surrounding the clams at Prescott Beach, which are considered endangered. The Division of State Lands forgot to add them to the endangered list but the clambers are being cited anyway. However, the citations are being dismissed. The matter needs to be dealt with. John feels the State should be enforcing their own rules, however, it does affect the county because of the problems it is causing out at Prescott Beach. Commissioner Corsiglia feels this should go before the Parks Commission to review this matter.

COMMISSIONER CORSIGLIA COMMENTS:

Commissioner Corsiglia reviewed a request by the Port of St. Helens for the County to participate in the moving of the water supply for the Scappoose Airport Park from a well on the Port property to the City of Scappoose's water system. Commissioner Corsiglia suggested giving this to Dave Hill to negotiate with the Port. After little discussion, Commissioner Bernhard moved and Commissioner Corsiglia seconded to authorize Dave Hill to proceed with negotiations with Port of St. Helens regarding the abandonment of the well at Scappoose Air Park. The motion carried unanimously.

The Board received a letter from Lou Adler complimenting the Land Development Services staff for their work on a fill permit. Commissioner Corsiglia read the letter into the record.

Commissioner Corsiglia attended and enjoyed the festival at Rainier last weekend. He also encouraged everyone to attend the Columbia County Fair which starts today.

COMMISSIONER BERNHARD COMMENTS:

Commissioner Bernhard commented on the number of events that were held in Columbia County last weekend: the Rainier celebration, the concert, the Road Rally and the Seattle-to-Portland bicycle race. She wanted to compliment all emergency responders for their hard work during these events.

COMMISSIONER HYDE COMMENTS:

Not present.

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

Not held.

The Board recessed the meeting at 11:10 a.m. and reconvened at 6:00 p.m. in Clatskanie. Present were Commissioner Corsiglia, Commissioner Bernhard, Commissioner Hyde, Sarah Tyson, Assistant County Counsel, Todd Dugdale, LDS Director, Glen Higgins, Chief Planner and Jan Greenhalgh Board Secretary.

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

PUBLIC HEARING: GOAL 5 AMENDMENTS:

As scheduled, the public hearing, "In the Matter of Amendment the Columbia County Comprehensive Plan and Zoning Ordinance Under Periodic Review Work Program Task IV, Goal 5 Sensitive Lands, and as a Post Acknowledgment Plan Amendment", was held.

Sarah Tyson stated that this matter has been before the Planning Commission and the Board will be holding three hearings around the county to take public comments. She gave the Board a packet of materials containing 2 draft ordinances #2003-5 and #2003-6. She explained that the PAPA process cannot be part of the periodic review and would need to be done by separate ordinance (#2003-6). This ordinance includes the Big Game Habitat and Historic and Cultural area amendments. All Periodic Review amendments are contained in Ordinance No. 2003-5 and will be reviewed by DLCD. Sarah noted that she included an emergency clause in Ordinance No. 2003-6. This can be removed should the Board decide.

Todd Dugdale, LDS Director, gave the staff report. Staff held public workshop on these amendments and the Planning Commission held a hearing. As a result, many changes have been made to the draft ordinances. Todd went over both ordinances in detail explaining the amendments and the effects of each. Discussion was held on the issues and for clarification.

At this time, the hearing was opened for public testimony.

Ray Pohl, 17881 Beaver Falls Road, Clatskanie: Ray first wanted to thank the Board of Commissioners for holding these hearings to allow the public to give input. He also wanted to thank the Planning staff for all their hard work on this. He just wants the Board to know that, as they go through this process, don't forget the people that live here because much of this county is in forest lands and they should be able to use their land.

Diane Pohl, 17881 Beaver Falls Road, Clatskanie: Diane submitted her written testimony. She also wanted to thank the Board and staff for their work on this. The Board heard from the people one year ago. At that time, the Board made a promise to the people to make changes and the Board kept that promise. She is not pro-development, but feels that restrictions on 80% of the land in Columbia County is too restrictive. She encouraged the Board to adopt the amendments as recommended by the Planning Commission.

Tami Lannan, GMO Forestry, PO Box 1016, Clatskanie: She is here representing GMO Forestry who owns 4,00- to 5,000 acres. She is very pleased with what she is hearing tonight. She is not happy with having to deal with every State agency there is, but that will never change. GMO agrees with the amendments recommended by the Planning Commission.

Vance Fraser, PO Box 1443, Clatskanie: He just has a question and a comment. First he asked if, for say, the "white tail deer" was de-listed, would it automatically be taken out of the comprehensive plan as a requirement. Todd explained that should any animal be de-listed, staff would need to take another look at the plan, but it would not be automatically taken out. Sarah stated that the comp plan

would need to be amended, and that is required by state law.

Vance commented on "clustering", which is to help preserve habitat. It seems to him that if you require clustering, the cluster just gets bigger and there is no room for habitat and that defeats the purpose.

Kathleen Worman, 57588 Bayview Road, Warren: Kathleen asked about the requirement to site a home close to the road. Todd explained that it is clustering rule and would be applied on a case by case basis. Kathleen also agreed with Mr. Fraser's comment on clustering. Too many homes close together with no greenery, gives the habitat nothing to feed on.

With no further testimony coming before the Board, the hearing was continued to Tuesday, July 22, 2003 at 6:00 p.m. at Vernonia City Hall.

The Board recessed the meeting at 8:00 p.m. and reconvened on Thursday, July 17, 2003 at 9:15 a.m. at the Columbia County Courthouse, Room 308. Present were Commissioner Corsiglia, Commissioner Bernhard, Commissioner Hyde, John Knight, County Counsel and Jan Greenhalgh, Board Secretary.

Commissioner Corsiglia called the meeting back to order.

VEHICLE REPAIRS:

John Knight reported on transportation services and the need for funding this service. He has had some necessary repairs made to a few of the vehicles and there are more that need repairs. He is concerned with where the money will come from to pay these expenses, along with the operating costs. There may be some STF discretionary funding available but that may take some time, but could pay for two new vehicles. John wants the Board to know that there are some ongoing operating costs that need to be dealt with. He went over the costs for operations; i.e. fuel, phones, repairs, etc. John stated that there is \$50,000 carryover from the Juvenile department. Ruth felt that should be "general fund" carryover, which Commissioner Hyde agrees with. Is it possible to use some of that money? Commissioner Hyde felt that might be a possibility. Further, he stated that there is \$25,000 available in the Economic Development fund that could be used. John talked about the services being provided and how it's going so far. John explained to the Board how important that it is that 5 additional vehicles be purchased, which could be used as backup. He doesn't need any action today, but these issues need to be resolved.

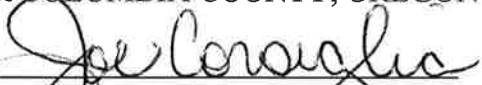
There was no Executive Session held.

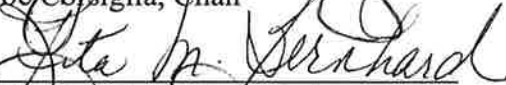
With nothing further coming before the Board, the meeting was adjourned.


Dated at St. Helens, Oregon this 16th day of July, 2003.

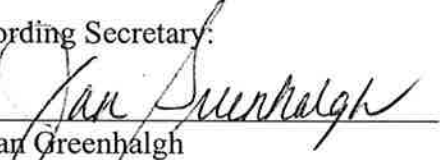
NOTE: A tape of this meeting is available for purchase by the public or interested parties.

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