

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

September 17, 2003

The Columbia County Board of Commissioners met in scheduled session with 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 was not present.

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

MINUTES:

Commissioner Hyde moved and Commissioner Bernhard seconded to approve the minutes of the September 9, 2003 Work Session; September 10, 2003 Staff meeting; and September 10, 2003 Board meeting. The motion carried unanimously.

2ND READING OF ORDINANCE #2003-5:

This is the time set for the second reading of Ordinance No. 2003-5, "In the Matter of Amending the Columbia County Comprehensive Plan and Zoning Ordinance Under Periodic Review Work Program Task IV, Goal 5 Sensitive Lands".

Sarah stated that there have been no changes to the ordinance since the first reading. At this time, Sarah gave the second reading of Ordinance No. 2003-5, by title only. The Board deliberated. Commissioner Hyde moved and Commissioner Bernhard seconded to adopt Ordinance No. 2003-5, "In the Matter of Amending the Columbia County Comprehensive Plan and Zoning Ordinance Under Periodic Review Work Program Task IV, Goal 5 Sensitive Lands". The motion carried unanimously.

PUBLIC HEARING: McNULTY WATER PUD ZONE CHANGE PF-76 TO CS-U:

As scheduled, the public hearing, "In the Matter of the Application by McNulty Water People's Utility District for a Comprehensive Plan Amendment and Zone Change from Primary Forest (PF-76) to Community Service Utility (CS-U)", was held.

Sarah reviewed procedure. This is on the record of the Planning Commission decision unless the Board votes to open up the record for additional information and testimony. Because no one is present to submit additional testimony, the Board decided not to open the record. The Board declared no conflicts of interest or ex-parte contact. Sarah then read the pre-hearing statement into the record as required by ORS 197.763. Sarah entered County Counsel's hearing file into the record (*Exhibit 1*) and noted all contents.

Glen Higgins, Chief Planner, came before the Board to review the criteria and staff report. In summary, the McNulty Water PUD is proposing to construct major water reservoir(s) at the intersection of Robinette Road and Smith Road at about 640' M.S.L. The subject property is owned by Longview Fibre Company who have stated they are generally in agreement to sell approximately 1+ acre to McNulty Water PUD for the proposed reservoir project. The customers and water users of the District would benefit with a water storage reservoir at this higher location. Specifically, the McNulty Water PUD has a couple service areas of low pressure, requiring pressure boosters, that would benefit directly, but the whole service area would see increased efficiency. The project would also serve the public interest by providing a better rural fire protection water supply and increased pressure to the existing water lines. No comments in opposition have been received. On August 4, 2003, the Planning Commission held a public hearing and recommended approval of this application with 4 conditions, as listed in the staff report.

The public hearing was opened to take testimony only on the evidence already in the record.

Richard Louie, Chair of McNulty Water PUD. Mr. Louie noted that everyone seems to be in favor of this application. He briefly reviewed the benefits of this proposal, i.e., the increased fire protection, increased water pressure, etc.

With no further testimony coming before the Board, the hearing was closed for deliberation. The Board can see no reason to deny this application. With that, Commissioner Hyde moved and Commissioner Bernhard seconded to approve the application, "In the Matter of the Application by McNulty Water People's Utility District for a Comprehensive Plan Amendment and Zone Change from Primary Forest (PF-76) to Community Service Utility (CS-U)." The motion carried unanimously.

Commissioner Hyde moved and Commissioner Bernhard seconded to hold the first reading of proposed Ordinance No. 2003-9, by title only. The motion carried unanimously.

Sarah then gave the first reading of Ordinance No. 2003-9, by title only.

Commissioner Hyde moved and Commissioner Bernhard seconded to hold the second reading of Ordinance No. 2003-9 on Wednesday, October 1, 2003, at or after 10:00 a.m. The motion carried unanimously.

CONSENT AGENDA:

Commissioner Bernhard read the consent agenda in full. Commissioner Hyde explained the purpose of Item (C), Order No. 61-2003. With that, Commissioner Hyde moved and Commissioner Bernhard seconded to approve the consent agenda as follows:

- (A) Ratify the Select to Pay for 9/16/03.

- (B) Order No. 62-2003, "In the Matter of Conveying Certain County-Owned Real Property Known as Tax Account No. 01-10 4119-014-00900 and 01-10 4119-014-01200 to James E. Bennett and Dorothy Bennett".
- (C) Order No. 61-2003, 'In the Matter of Waiving the Requirement to Collect in Advance Fees for Recording Liens Filed by the Columbia County Justice Court'.
- (D) Reappoint James Fery and James Tierney as Chairperson's Pool to Board of Property Tax Appeals.
- (E) Reappoint James Fery, James Tierney, Eric Sellix and Barry Pixler as Non-Office-Holding Pool to BOPTA.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (F) Amendment #1 to the 2003-2005 Intergovernmental Agreement with the Oregon Commission on Children & Families.

The motion carried unanimously.

LCDC TO CONSIDER TEMPORARY RULE ON SIGNIFICANT AGGREGATE SITES:

Todd Dugdale received notice from LCDC regarding proposed amendments to the rules regarding Significant Aggregate sites. Todd explained the important effects of this. However, this has now been removed from their agenda, with no new date.

COMMISSIONER CORSIGLIA COMMENTS:

Not present.

COMMISSIONER BERNHARD COMMENTS:

Commissioner Bernhard, along with Commissioner Hyde attended the United Way kickoff over at Time and Again yesterday. There is definitely a huge need for this service and she was glad to see the number of people who turned out.

Last weekend, she went to the AWPPW union picnic at the Fairgrounds for Boise Paper. That was a lot of fun.

She also went to a Luau last weekend to benefit the Columbia County Child Abuse center. That was very well attended.

Yesterday, she spent the afternoon riding along with Roadmaster Dave Hill. They went up to the Port Westward area, looked at projects going on in Rainier, and went up to Beaver Falls. It was good for her to see what is happening out there.

COMMISSIONER HYDE COMMENTS:

On Monday, Commissioner Hyde attended a District 5 meeting in Marion County for AOC. As AOC President, he will be attending 5 of these district meetings around the state. He reviewed some of the issues to be discussed.

EXECUTIVE SESSION UNDER ORS 192.660(1)(h) - PENDING 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.

EXECUTIVE SESSION UNDER ORS 192.660(1)(e) - PROPERTY NEGOTIATIONS:

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

TRANSPORTATION ISSUES:

John gave a brief update on transportation. He has received the RFP for transportation services but has not yet reviewed it. Discretionary funds are now available to apply for. He is still working on the offer to purchase buses from the Council of Seniors.

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

Dated at St. Helens, Oregon this 17th day of September, 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: Not Present

Joe Corsiglia, Chair

By: Rita M. Bernhard

Rita Bernhard, Commissioner

By: Anthony Hyde

Anthony Hyde, Commissioner

Recording Secretary:

By: Jan Greenhalgh

Jan Greenhalgh