

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

SEPTEMBER 1, 2004

The Columbia County Board of Commissioners met in scheduled session with Commissioner Rita Bernhard, Commissioner Corsiglia and Commissioner Anthony Hyde, together with John Knight, County Counsel, Sarah Tyson, Assistant County Counsel, and Cynthia Zemaitis, Acting Board Secretary..

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 August 25, 2004 Board meeting. The motion carried unanimously.

VISITOR COMMENTS:

Peggy Crisp, 34751 Millard Road, Warren. Ms. Crisp asked whether the grant money has come in on the Asburry Acres park. Commissioner Hyde indicated the grant won't come in until November, and that the Park Advisory Committee is involved in some strategic planning with regard to Asburry Acres. Ms. Crisp wanted it to be known that there was a chance to get a totally free park, but now it is being put off again. She questioned how long it will take. Commissioner Hyde indicated that he is will be taking the recommendations of the Parks Advisory Committee.

Tammy Maygra, 34319 Canaan Road, Deer Island. Ms. Maygra asked to be updated on the depletion fee ordinance or if the Board is waiting until the legislature convenes next January before doing anything. Commissioner Corsiglia intends to talk with County Counsel about this. Commissioner Hyde indicated that Counsel has been advised to do an interpretation. John has lot on his plate and will get to it when he can.

Ms. Maygra would like to complement Morse Bros. A service was being held at Kinder Cemetery and she requested Morse Bros. to stop any activity during the service; they complied and she appreciates it.

Secondly, the berm around the old fairgrounds was to be kept up. However, they put in cedar trees and didn't water them; only two are still living. She wants to know who will take care of this. Commissioner Hyde indicated he has already talked with them.

Dale Peterson, 55883 Garden View Court, Warren. Mr. Peterson stated that he was here last week talking to the Board about getting a sound meter for the Code Enforcement Officer. Mr. Peterson found a really good meter for \$350, and would be glad to buy it and give it to the County. Commissioner Bernhard indicated they had discussed this matter with Lt. Simmons yesterday and Lt. Simmons is following up. Commissioner Hyde pointed out that the Judges are requiring that anyone using the meter has to be properly trained. Commissioner Bernhard indicated they need to actually be certified. The County will have to go through the process, which, Commissioner Hyde indicated, is very expensive.

PUBLIC HEARING: APPEAL OF ACCESS APPROACH PERMIT DEPOSIT FORFEITURES:

As scheduled, the public hearing, "In the Matter of the Appeal of Access Approach Permit Deposit Forfeitures", was held.

Sarah Tyson gave some background on this matter. The Board needs to consider the issue of the appeals being filed under the 1998 ordinance, which requires a hearing before a decision can be made. The Boards' packet contains information on each of the appeals, including a list of the individuals appealing. Most of these people have also requested a 60-day extension.

Byron Havens has requested, in writing, a 60-day extension to complete construction.

The hearing was opened for public testimony. With no testimony coming before the Board, the hearing was closed. Commissioner Hyde moved to deny the appeal of Mr. Havens but grant him 60 days to complete the construction; Commissioner Corsiglia seconded. The motion passed unanimously.

Rhonda Ryder and Tim Fowler. Mr. Fowler testified before the Board that he had filed the bond, but the property owner was to complete the access approach. Sarah indicated that regardless, the requirements are the same. The parties have not indicated that they intend to get the access approach constructed. Commissioner Bernhard would like to grant them a 60-day extension to complete construction. Commissioner Hyde stated that the applicants have had plenty of opportunity to respond.

Commissioner Hyde advised that the County was trying to change a very antiquated process. It is a cumbersome process, but they need to get it in the past and move forward.

The hearing was opened for public testimony. With no further testimony coming before the Board, the hearing was closed. Commissioner Hyde moved to deny the appeal of Mr. Fowler and Ms. Ryder. Commissioner Corsiglia seconded. The motion passed unanimously.

Richard Townsend, requesting 60-day extension to complete construction. Roger Kadell advised the Board the Mr. Townsend had completed the access approach. Commissioner Hyde moved to deny the appeal but grant 60 days to complete the construction; Commissioner Corsiglia seconded. The motion passed unanimously.

Danial Javorsky. The hearing was opened for public testimony. With no testimony coming before the Board, the hearing was closed. Commissioner Hyde moved to deny the appeal of Mr. Havens but grant him 60 days to complete the construction; Commissioner Corsiglia seconded. The motion passed unanimously.

Ray Bonser. The hearing was opened for public testimony. CeaAnn Bonser appeared on behalf of Ray Bonser, 76833 Atkins Road, Rainier, Oregon. Ms. Bonser indicated that she thought it was interesting that something that has never been enforced before is now being enforced. Several people were not aware there was a 2 year time limit to have the road done. They knew they had to have it done by getting their building permit, but they have received extensions on that and still don't have it done yet. Commissioner Bernhard explained that if she asks for a 60-day extension and completes the approach within that time, the deposit will be returned. Commissioner Hyde stated that this all began with complaints from the auditors; money has just been sitting there, some of it for 17 years. With no further testimony coming before the Board, the hearing was closed. Commissioner Hyde moves to deny appeal of Mr. Bonser but grant him 60 days to complete the construction; Commissioner Corsiglia seconded. The motion passed unanimously.

Sarah Tyson then answered several questions Ms. Bonser had about the difference between the appeal and an extension.

Commissioner Hyde indicated the real intent of all of this is to have access approaches all over the County. With the recommendation of the builders, the cost is now being added to the construction costs.

Paul Reed, appealing for lack of funding, and requesting 60 days.. The hearing was opened for public testimony. With no testimony coming before the Board, the hearing was closed. Commissioner Hyde moved to deny the appeal but grant 60 days to complete the construction; Commissioner Corsiglia seconded. The motion passed unanimously.

William Wolsey, appealing and requesting 60 days. The hearing was opened for public testimony. With no testimony coming before the Board, the hearing was closed. Commissioner Hyde moved to deny the appeal but grant 60 days to complete the construction; Commissioner Corsiglia seconded. The motion passed unanimously.

James Carlson. Mr. Carlson, 19492 Beaver Falls Road, Clatskanie, Oregon, appears and hands over photos of the completed access approach. The hearing was opened for public testimony. With no further testimony coming before the Board, the hearing was closed. Commissioner Hyde moved to deny the appeal but grant 60 days to complete the construction; Commissioner Corsiglia seconded. The motion passed unanimously.

Lorenzo Jones. The hearing was opened for public testimony. Mr. Jones, 62226 Gensman Road, St. Helens, Oregon. Mr. Jones has a contractor lined up to complete the approach, but cannot say for sure when it will be completed. He indicated that all he received was one piece of paper for the access approach, not a packet. The document did not state there was a time limit. With no further testimony coming before the Board, the hearing was closed. Commissioner Hyde moved to deny the appeal but grant 60 days to complete the construction; Commissioner Corsiglia seconded. The motion passed unanimously. Mr. Jones was advised to contact Roger Kadell if there will be a problem getting it done timely.

Bruce and Shay Benson. The hearing was opened for public testimony. Shay Benson, 78161 Alston Mayger Road, Rainier. The Bensons recall the two-year time limit, but in building their house and using their driveway for several years, they forgot about it. She has 3 contractors coming out to give a bid next week. With no further testimony coming before the Board, the hearing was closed. Commissioner Hyde moved to deny the appeal but grant 60 days to complete the construction; Commissioner Corsiglia seconded. The motion passed unanimously.

Robert Frost. The hearing was opened for public testimony. Mr. Frost, 59656 Twin Oaks Drive, St. Helens. Mr. Frost was unaware of the two-year time limit. As soon as he received the forfeiture appeal form, he contacted contractors. He has one coming out next week to complete it. With no further testimony coming before the Board, the hearing was closed. Commissioner Hyde moved to deny the appeal but grant 60 days to complete the construction; Commissioner Corsiglia seconded. The motion passed unanimously.

Ford Swearingen. The hearing was opened for public testimony. With no testimony coming before the Board, the hearing was closed. Commissioner Hyde moved to deny the appeal but grant 60 days to complete the construction; Commissioner Corsiglia seconded. The motion passed unanimously.

Robert Caldwell. The hearing was opened for public testimony. Mr. Caldwell, 22625 SW Lebeau Road, Sherwood Oregon, indicated he had received a letter from the Board in July already granting him an extension. Sarah explained that she mistakenly thought his permit was issued under the 1999 ordinance but later determined it fell under the 1998 ordinance, so she wanted to give him the opportunity to appear before the Board, which will allow him more time. Mr. Caldwell stated he has already signed a contract for construction of the approach. With no further testimony coming before the Board, the hearing was closed. Commissioner Hyde moved

to deny the appeal but grant 60 days to complete the construction; Commissioner Corsiglia seconded. The motion passed unanimously.

David Welch. Roger Kadell indicated that Mr. Welch has completed his access approach. The hearing was opened for public testimony. With no testimony coming before the Board, the hearing was closed. Commissioner Hyde moved to deny the appeal but grant 60 days to complete the construction; Commissioner Corsiglia seconded. The motion passed unanimously.

Having gone through the entire list of individuals, the Board closed the hearings.

CONSENT AGENDA:

Commissioner Bernhard 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 August 31, 2004.
- (B) Authorize Sheriff Phil Derby to fill one Corrections Technician vacancy.
- (C) Appoint Janet Wright to the Northwest Oregon Housing Authority.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (D) Intergovernmental Agreement with State Elections Division for Joint Voters' Pamphlet.
- (E) Memorandum of Agreement, Technical Imaging Services.

The motion carried unanimously.

DISCUSSION:

Commissioner Hyde indicated there has been a lot of discussion about the contracts for the Web Service Agreement involving O&C monies. Originally, it was going to cost \$1,800 and the County has found the money to pay for it outside of County monies. There is also a second Web Service Agreement for Rapid Assessment with an initial cost of \$2,700. The expense involved has delayed approving these contracts for some time, but benefactors for these funds have been found. Once County Counsel approves the contracts, they will be signed today and sent off so O&C can be paid.

COMMISSIONER BERNHARD COMMENTS:

Commissioner Bernhard has been out attempting to heal the injury to her leg, and looks forward to coming back.

COMMISSIONER HYDE COMMENTS:

No comments today.

COMMISSIONER CORSIGLIA COMMENTS:

Commissioner Corsiglia really enjoyed the Hood to Coast run. He commented on the tragic loss of Norma Olsen this last week. It is difficult to see someone so vital and young pass on. Ms. Olson has contributed a great deal to this county.

EXECUTIVE SESSION:

No executive session was held.

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

Dated at St. Helens, Oregon this 1st day of September, 2004.

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: 
Rita Bernhard, Chair

By: 
Anthony Hyde, Commissioner

By: 
Joe Corsiglia, Commissioner

Recording Secretary:

By: 
Cynthia Zemaitis