

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

April 27, 2005

The Columbia County Board of Commissioners met in scheduled session with Commissioner Anthony Hyde, Commissioner Joe Corsiglia and Commissioner Rita Bernhard, together with John Knight, County Counsel and Jan Greenhalgh, Board Secretary.

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

MINUTES:

Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve the minutes of the April 20, 2006 Board meeting. The motion carried unanimously.

SPECIAL ACHIEVEMENT AWARDS:

The Board presented Jon Nyberg and (Sweet Baby James) James Benton with a Special Lifetime Achievement in the Performance Arts Certificate. Both are charged with the promotion and advancement of art excellence throughout Columbia County. Commissioner Hyde stated that this is the first, and hopefully many, awards to come.

METH ISSUES - PLAN OF ACTION:

Commissioner Corsiglia read a short statement into the record explaining what the Columbia County Meth Action Team (CC-MAT) has been doing to establish goals, communication and a mission statement to work towards the elimination of the meth epidemic in Columbia County.

Diane Pohl, CC-MAT Committee member, stated that it is imperative that we all need to organize and work together if we are going to make a difference. She thanked Commissioner Corsiglia for his taking the lead on this very important issue.

Commissioner Hyde noted that meth is the only drug that has gone from the rural areas to the urban areas. It is also the only drug that has gone from the west coast to the east coast. This problem has a huge monetary impact on all of us. This Task Force is a very critical part of combating this epidemic and applauds Commissioner Corsiglia for his work on this.

Commissioner Bernhard commented on the huge financial impact of this drug. She has been attending a lot of meetings regarding this problem and has gained a lot of knowledge about meth. There has been two major meth labs busted in Scappoose in the last month. She is glad to see this task force willing to work with the District Attorney, the CENT Team, CCMH and other law enforcement officials in their continued efforts.

With that, Commissioner Corsiglia moved and Commissioner Bernhard seconded to recognize the efforts of the CC-MAT task force and accept the CC-MAT team and their mission to move forward on this. The motion carried unanimously.

VISITOR COMMENTS:

Thelma Bonar, 56734 Way Lane, Warren: First, Thelma wanted to thank Commissioner Hyde for his comments on how taxes will be lost if the City of Portland purchases PGE. It will drastically effect Columbia County if that happened.

Second, she is ready to turn in an initiative for money to help fund roads and bridges. She is asking for the Board's support on this. This initiative would allow for a \$.10 increase in depletion fees and would be adjusted annually based on the CPI. The Board stated that they would review the information she submitted and get back to her.

LETTER OF COMMENDATION TO DEPUTY RUSS GEORGE:

The Board presented Deputy Russ George with a letter of commendation for his quick actions in saving the life of a kidnap victim on April 3, 2005. Commissioner Hyde read the letter into the record.

DELIBERATIONS ON TALEBI MODIFICATION/VARIANCE/MINOR PARTITION:

This is the time set for the Board to deliberate on the Application of Ardeshire Talebi for a Modification of Columbia County Road Standards, a Variance to the Columbia County Zoning Ordinance and a Minor Partition to Create a Twelfth Lot with Access onto Pioneer Road, a Private Road.

Because the Board is still waiting for some additional information on this issue, deliberations were carried over one week. With that, Commissioner Corsiglia moved and Commissioner Bernhard seconded to carry over deliberations to Wednesday, May 4, 2005 at or after 10:00 a.m. The motion carried unanimously.

CONSENT AGENDA:

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

- (A) Ratify Select-to-Pay for 4/26/05.
- (B) Ratify Partition Plat for McLean Acres.
- (C) Ratify the hiring of Walt Pesterfeld as Community Corrections Director, at Step 2, Range 11 (using 7/1/05 ranges).

- (D) Approval to purchase Transit Vehicles.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (E) Immediate Opportunity Fund Agreement for Port Westward Van Street Improvements.
- (F) Amendment #2 to the contract between CCCC and the St. Helens School District.
- (G) Vehicle Lease with Scappoose Rural Fire Protection District.
- (H) Business Associate Agreement with Trident Insurance Services, LLC.
- (I) Rental Agreement between Columbia County Parks and Robert & Lawrie Meisner for Big Eddy Park.
- (J) Rental Agreement between Columbia County Parks and David & Lida Estavillo for Hudson-Parcher Park.

The motion carried unanimously.

GRANTS APPLICATIONS FOR JJ COLLINS EAST AND BEAVER BOAT RAMP:

Dave Hill, Public Works Director, first wanted to compliment the State Marine Board for the service they have provided Columbia County and how good they are to work with. Dave is asking for approval to make two applications. The first application is for JJ Collins East for replacement of the transient tie ups. The total cost of the project is \$500,000, with a proposed match of \$5,000. There is an estimated \$8,000 in administration costs which is not included. The State Marine Board has this on their priority list.

Dave is also making application, at the State Marine Board's suggestion, for the replacement of the boat ramp at the Beaver Boat Ramp. The cost for this project is \$172,000, with a proposed match of \$4,000.

After discussion, Commissioner Corsiglia moved and Commissioner Bernhard seconded to authorize Dave Hill to submit both grant applications (JJ Collins East and Beaver Boat Ramp). The motion carried unanimously.

CARCUS CREEK HARVEST BIDS:

Dave Hill briefly reviewed the recommendation from Dan Green, Woodland Management for the sale of logs from the harvest at Carcus Creek and the contract with a logger. Dave asked that the Board review this information and take action on it next week.

RTP GRANT - CZ TRAIL BRIDGES:

Dave Hill explained that a grant was received last year to replace of two bridges on the CZ trail. They are ready to complete the work, which has to be done by 2006. Dave just wants to make sure that the Board is comfortable with the Road Department to completing this work. The Board agreed.

EXECUTIVE SESSION UNDER ORS 192.660(10)(h) - 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.

DAVID LEIKEN - DOUBLE TEE PRODUCTIONS:

Richard Helzer, AAL, and David Leiken, Double Tee Concerts (DTL), approached the Board to go over, what they feel are inaccuracies in the Lowell MacGregor proposal. Mr. Helzer filed the letter of protest on behalf of David Leiken. It is DTL's position that under page 10 of the RFP, it states that if the proposal is inaccurate then it shall be rejected. Mr. Leiken will address that issue further. Secondly, it is their position that a concert promoters position is based upon its ability to have capital and the DTL proposal does establish a minimum guarantee to the County Fair Board of \$30,000, whereas Lowell MacGregor's proposal does not. Credibility is important and, if the proposals are compared side by side, the more credible proposal is that of DTL. Regarding commitment, DTL is committed to this venue and for four years it has successfully produced shows in this county and provided an economic benefit to the County Fair Board. DTL feels that Bill Potter's response supports the fact that DTL is more financially capable and has the capital. It also acknowledges that the commitment itself in relationship of community development and benefit would be better supported by DTL through its more extensive advertising program.

Mr. Leiken stated that DTL has been in the concert business for 33 years. Over the years they have done a lot of RFP's. They have won some and lost some, but they have never lost one in the face of an opposing RFP that is simply not supported by the facts. Had the interviews taken place, which were originally called for in the process, he feels that a lot of the issues could have been clarified. The facts are that Lowell MacGregor stated that he produced shows at Columbia Meadows, Portland Meadows, Rose Garden, etc. He had no legal, financial or contractual involvement in any of these events. They were produced by DTL, not Lowell MacGregor. On page 9, Lowell states that he designed, executed and operated certain venues. Again, Lowell had no legal, financial, or contractual responsibility for these events. In many cases, Lowell's claims are simply not true or exaggerated. Also, to his claim that he is partners with Jack Touring Pro, David urged the County to seek written evidence of that agreement. Without the agreement, financially it may be difficult for Lowell MacGregor to perform. There are also a couple of things that David feels should have been in the RFP. One is the evidence of financial capability. Normally, a bond is required and should have been in this case. He also feels that SAIF insurance should have been required. The Board will take this all under advisement and get back to them.

LETTER FROM RANDALL BATEMAN - MINERAL RIGHTS:

John Knight explained that, some time ago, Mr. Bateman sent a letter requesting the release of mineral rights owned by the County. The County denied that request and filed a statement of claim. Mr. Bateman has sent in another letter with the same request. Unless the Board wants to deal with this, John will simply remove it from the agenda and allow Cynthia Zemaitis to respond appropriately.

LOWELL MacGREGOR:

Lowell MacGregor approached the Board to respond to Mr. Leiken's comments. John Knight explained to the Board that Mr. Leiken has already addressed the Board and does not feel comfortable with Lowell speaking to the Board now, since Mr. Leiken is not present. Perhaps if he would have been present when Mr. Leiken was here, it would have been more appropriate. Commissioner Bernhard feels if we listened to one side, we should listen to the other. Commissioner Corsiglia suggested that this be dealt with under comments from the floor when all business is finished.

COMMISSIONER HYDE COMMENTS:

Commissioner Hyde attended a ERT meeting last Thursday regarding economic development. One issue was the Teevin Bros. project and rail impacts in the county.

On Thursday afternoon, he attended the Citizens Transportation Advisory Committee. He was very impressed with the makeup of the committee and the topics discussed.

On Saturday, he was involved in Vernonia's second annual Riverfest. It was pouring down rain which had a definite impact on attendance.

On Sunday, he kept an eye on how the Road Rally went. There was a lot of people out for that. He will be interested in hearing the outcome from Dave Hill on road impacts. It looked to be very professional event.

As a member of OECDD, he offered testimony in front of the Ways & Means committee.

COMMISSIONER CORSIGLIA COMMENTS:

Commissioner Corsiglia had a very busy week working on the Meth plan of action and is very happy with the progress.

He also attended the Citizens Transportation Committee meeting last week. He wanted to compliment Janet Wright on the tremendous amount of work she has put into this.

He attended the Riverfest on Saturday in Vernonia. With all the rain, it probably helped the merchants in town.

COMMISSIONER BERNHARD COMMENTS:

Commissioner Bernhard attended a Workforce conference in Bend last week. They spent the entire time talking about the Workforce Investment Act and it being reinstated. There may be some changes in the funding stream.

She was involved in the Earth Day event over the weekend.

On Saturday evening, she attended Grant Watts annual auction. As usual it was very successful.

She has been attending the Library meetings around the county. This is a proposal to create a Library District which is the topic of discussion and information sharing.

She missed the Citizens Transportation Advisory Committee meeting last week because she was in Bend. She has received some calls since that meeting and has scheduled a meeting with herself and Janet Wright with the Scappoose and St. Helens Senior centers Board of Directors. They feel they have not be included in the transportation discussions.

LOWELL MacGREGOR:

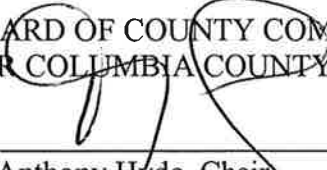
Lowell MacGregor, came before the Board and apologized for being late. He is here to respond to the proposal for the concert series at Columbia Meadows. He intended to be here to listen to Mr. Leiken's comments so that he could respond directly to those comments. Because he wasn't here in time, he can only respond to the letter of protest that was submitted. In point #1, where Leiken points out that there was no specific number given in terms of the financial guarantee, in Lowell's response they said they would work with the County to development a revenue stream which would increase the take for the County. Subsequent to the submission of the RFP response, he was given the opportunity to come up with a bottom line number which they did in the amount of \$30,000. They also increased the per ticket revenue streams to ensure that the county would maximize the potential profits from this project. On #2, where it asked for letters of recommendations, they secured references from the local community. On the issue of advertising, he would be happy to provide the county with their ads for the shows. They have no regulatory violations and felt that was good, regardless of how long they have been in business. Mr. Leiken stated that Lowell misrepresented the entity as producing the prior shows. Lowell was very specific and concise in their response that Lowell was an employee of DTL. There are many people on his team that have worked in various capacities around the community and have an extensive track record of production and they were very specific about where these people have worked and in what capacity they worked. They did not misrepresent Lowell MacGregor Group as the producer of those events, only coordinated them. Again, Lowell apologized for not being here earlier. He wanted the Board to know that he is very committed to making this a successful and positive project.

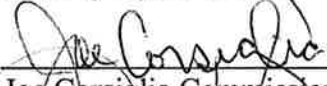
With nothing further coming before the Board, the meeting was adjourned.


Dated at St. Helens, Oregon this 27th day of April, 2005.

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

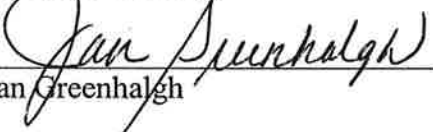
BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Anthony Hyde, Chair

By: 
Joe Corsiglia Commissioner

By: 
Rita Bernhard, Commissioner

Recording Secretary:

By: 
Jan Greenhalgh