

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

June 29, 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 June 22, 2005 Staff meeting. The motion carried unanimously.

VISITOR COMMENTS:

Tammy Maygra, 34319 Cannan Road, Deer Island: She first stated that her term on the Tide Creek CPAC has expired and she would like to be reappointed.

Tammy then commented on the Morse Bros. Temporary Permit for a portable batch plant. Thelma Bonar presented a letter on her behalf at the hearing last week. Tammy feels there has been gross negligence in letting MBI have a Temporary Permit to site a portable batch plant, because there is already a batch plant on the Port Westward site. It appears to be an issue of non-union contractors. There are several other non-union contractors there who have signed the National Construction Agreement. The only reason MBI needed this permit is because they refused to sign the agreement and pay union wages. That is not a good enough reason to grant them this permit. If time was of the essence, then MBI could have just signed the agreement. The property is zoned PA-38, not Surface Mining. Under the surface mining rules, the permit should be renewed every 60 days, but the Board is granting one year. The batch plant should stay on site because that's where it belongs. It was wrong not to go through the proper process and feels the Board jumped the gun on this.

John stated that these comments will be reflected in the minutes, but the record is closed on the land use hearing. Once the Board approves the final order, there is a 21 day appeal period.

Tammy stated that there was a comment made by a Commissioner that this was a labor issue and the Board shouldn't be involved in that part of it. When the Board approves a Temporary Permit, they are involved in labor issues. There is a grievance against MBI on that site over this batch plant. She would suggest that the Board just let MBI and the unions work it out.

Thelma Bonar, Way Lane, Warren: Thelma noted that the two possible properties that MBI wants to site on are under farm deferral. That property should be exempt from deferral during the time it's being used as a batch plant.

As for the Public Records Policy, County employees need to know that CPAC members should get copies at no cost. Commissioner Hyde suggested that if she is looking up information on a certain CPAC issue, that she bring in the paperwork she received to confirm that it is a CPAC issue.

PUBLIC HEARING: SUPPLEMENTAL BUDGET FOR FY 2004-05:

As scheduled, the public hearing on the supplemental budget for Columbia County FY 2004-05 was held.

Commissioner Hyde stated that the purpose of this hearing is to take public input on the supplemental budget for FY 2004-2005. He noted which funds are being effected; expenses for the new CCMH facility; reimbursements from ODOT and State Parks for the purchase of the CZ linear trail; and forgiving the loan from the general fund to the Animal Control Fund.

The hearing was opened for public testimony.

Thelma Bonar, Way Lane, Warren: Thelma asked if the Board considered any comments made by the public on this budget. Commissioner Hyde explained that this is a supplemental budget for FY 2004-205, not the upcoming budget.

With no further testimony coming before the Board, the hearing was closed for deliberation. Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve Resolution No. 42-2005, "In the Matter of Authorizing Supplemental Budgets for Columbia County Funds". The motion carried unanimously.

CONSENT AGENDA:

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

- (A) Ratify Select-to-Pay for 6/28/05.
- (B) Ratify Partition Plat for James & Maureen Brock.
- (C) Order No. 30-2005, (To Execute and Deliver Quitclaim Deed), "**In the Matter of Selling Certain County-Owned Real Property Known as Tax Account No. 02-08 5235-014-00300 to Vernon and Ethel Huntzinger**".
- (D) Order No. 31-2005, (To Execute and Deliver Quitclaim Deed), "**In the Matter of Selling Certain County-Owned Real Property Known as Tax Account No. 03-12 6210-000-00609 to Franklin Simmons and Debbie A. Hobbins**".

- (E) Order No. 32-2005, (To Execute and Deliver Quitclaim Deed), "In the Matter of Selling Certain County-Owned Real Property Known as Tax Account No. 03-16 7321-030-00602 to Richard E. Parsons".
- (F) Order No. 35-2005, "In the Matter of Electing to Have Certain Revenues Disposed of Under ORS 530.110(1) [Forest Trust Lands]".
- (G) Order No. 36-2005, "In the Matter of the Distribution of Forest Trust Land Revenues [2005 Distribution]".
- (H) Order No. 37-2005, "In the Matter of Distribution of Proceeds Under ORS 275.275 [2005 Distribution]".
- (I) Order No. 40-2005 "In the Matter of Claim Number CL 05-06, Submitted by the Rainier Rod and Gun Club Under Measure 37". **PULLED FOR DISCUSSION**
- (J) Order No. 41-2005, "In the Matter of the Applications by Morse Bros. Inc., for Two Temporary Permits to Operate a Temporary Ready Mix Concrete Batch Plant during Construction of the Port Westward Power Plant". **PULLED FOR DISCUSSION**
- (K) Order No. 46-2005, "In the Matter of Awarding the Contract for the Provision of General Public and Elderly and Disabled Transportation Services in Columbia County to Metro West Ambulance".
- (L) Approve the submission of the FY 2005-2006 FTA Section 5311 Rural Program application and authorize the Chair to sign.
- (M) Approve the FY 2005-2006 and the FY 2006-2007 Special Transportation Funds Formula Program Application and authorize the Chair to sign.
- (N) Ratify Commissioner Bernhard's signature on the Emergency Shelter Grant Program Allocation - pass through funds for general operations.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (O) Amendment No. 9 to the Contract between CCMH and CCCCf for "Teen and Family Transition Program".
- (P) Amendment No. 10 to the Contract between CCMH and CCCCf for "Teen and Family Transition Program".
- (Q) Amendment No. 2 to the Contract between Columbia Health District/Public Health Authority and CCCCf for "Court Appointed Special Advocates (CASA)".

- (R) Amendment No. 3 to the Contract between Columbia Health District/Public Health Authority and CCCCCF for "Court Appointed Special Advocates (CASA)".
- (S) Amendment No. 7 to the Contract between Community Action Team and CCCCCF for "Healthy Start".
- (T) Agreement #10131 with the State of Oregon, Oregon Youth Authority for Individualized Services, **and authorize the Chair to sign.**
- (U) Amendment #2 to the Memorandum of Understanding with Columbia Community Mental Health
- (V) Region 1 Workforce Investment Board MOU Modification PY04 #1
- (W) Approve the renewal of Workers' Compensation Policy with SAIF Corporation.
- (X) Agreement #1721d with the State of Oregon, Oregon Youth Authority for Individualized Services. **and authorize the Chair to sign.**

The motion carried unanimously.

ITEMS (I) AND (J):

Commissioner Corsiglia commented that because he was not present for the discussion on these two items, he will not participate in the voting. Commissioner Bernhard moved and Commissioner Hyde seconded to approve Order No. 40-2005 "In the Matter of Claim Number CL 05-06, Submitted by the Rainier Rod and Gun Club Under Measure 37" **and** Order No. 41-2005, "In the Matter of the Applications by Morse Bros. Inc., for Two Temporary Permits to Operate a Temporary Ready Mix Concrete Batch Plant during Construction of the Port Westward Power Plant". Commissioner Corsiglia abstained. The motion carried.

ORMAP IGA #1358 WITH DEPARTMENT OF REVENUE:

John reviewed the agreement with the Department of Revenue. The agreement provides approximately \$71,000 for work on the GIS system. There were some changes that need to be made in the date and the amount of funding. John would recommend adding language above the county signature line that states the agreement is subject to the terms of the addendum on pages 8 and 9 of 13. So two changes would be to correct the date to 2005 on page 1 and the additional language regarding the addendum. With that, Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve the ORMAP Agreement #1358 with the Department of Revenue, with changes noted by John Knight. The motion carried unanimously.

ADOPT FY 2005-06 COLUMBIA COUNTY BUDGET:

Ruth Baker was present to answer any questions. Commissioner Corsiglia had asked that a line

be put in the budget for an employee for County Parks. Ruth added that this morning. Ruth gave the Board the bottom line budget amount of \$52,578,352.00. Commissioner Corsiglia asked how much of that total amount is pass-through funds. Ruth stated that the pass-through amount totals \$7,585,454 and the General Fund is \$19,505,439, with \$1,000,000 for the CCMH facility construction. Commissioner Bernhard has stated a number of times that she does not approve of the Commissioners having a raise and she still feels that way. Therefore, she will be voting against the budget because, again, she does not agree with the COLA increase for the Commissioners. If the COLA is received, she will be donating her COLA to Veterans Services and United Way. Commissioner Corsiglia asked how many employees were getting a COLA increase. Ruth stated that all employees will be receiving a COLA this year. Commissioner Corsiglia asked if a separate line item be included in the budget for Commissioner Bernhard's increase - equal to her COLA and specifically designate it. Commissioner Bernhard understands she can simply have a payroll deduction. If it is not included in the salary, there would be one Commissioner with a different salary, which isn't appropriate.

After discussion, Commissioner Corsiglia moved and Commissioner Hyde seconded to adopt Resolution No. 43-2005, "In the Matter of the Adoption of the Columbia County Budget for Fiscal Year 2005-2006 and the Appropriation and Levying of Ad Valorem Taxes. Commissioner Bernhard opposed. The motion carried.

TRANSFER APPROPRIATIONS WITHIN VARIOUS COUNTY FUNDS:

Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve Resolution No. 44-2005, "In the Matter of Transferring Appropriations within the Various Funds of the 2004-2005 Columbia County Budget". The motion carried unanimously.

MEASURE 37 CLAIMS FILED BY JEFF YARBOR:

This matter was discussed at length yesterday at the work session. Sarah has drafted two Board orders, one is to approve the one claim as recommended by staff and the other is to deny the remaining claims. Commissioner Corsiglia will not be voting on these orders because his wife works for Ticor Title which is mentioned throughout this particular situation. With that, Commissioner Bernhard moved and Commissioner Hyde seconded to approve Order No. 45-2005, "In the Matter of Claim No. CL 05-12 for Compensation under Measure 37 by Jeff and Marilyn Yarbor. Commissioner Corsiglia abstained. The motion carried.

Further, Commissioner Bernhard moved and Commissioner Hyde seconded to approve Order No. 47-2005, "In the Matter of Claim Nos. CL 05-11, CL 05-13, CL 05-14, CL 05-15, CL 05-16, and CL 05-17 Submitted by Jeff Yarbor for Compensation Under Measure 37". Commissioner Corsiglia abstained. The motion carried.

AGREEMENT #10091 WITH OREGON YOUTH AUTHORITY:

John Knight stated that the only change to this would be to authorize the Chair to sign. With that, Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve

Agreement #10091 with the Oregon Youth Authority. The motion carried unanimously.

IGA WITH WASHINGTON COUNTY FOR VA SERVICES:

John Knight reviewed this agreement and changes. They refer to the wrong Public Contracting laws, some of which no longer apply. He added a provision that they would leave the VA office open 2 days per week. The Board confirmed the budget amount is correct. The Board could approve this agreement with the addition of language insuring the office is open 2 days per week, authorize the Chair sign, and siting the correct statutes. That will give John the authority to deal directly with Washington County to get the agreement corrected. After discussion, Commissioner Corsiglia moved and Commissioner Bernhard seconded to approve the Intergovernmental Agreement with Washington County for VA services, reflecting the changes just noted by John Knight. Under discussion, Commissioner Bernhard suggested that, because there may be additional funding for VA Services, the hours noted a "minimum" of two days. That way, if they do get additional funding, they can be open more hours. The Board agreed and the motion was amended to include that language. The motion carried unanimously.

Tom O'Keefe, St. Helens: He is concerned with the County farming out the veterans services to Washington County. Veterans need to be able to get these services locally. The Board explained that there is an office in St. Helens. The agreement that was just approved, keeps this office open at a minimum of two days. Commissioner Hyde explained that there are some Bills currently before the legislature and, if passed, it will hopefully increase the hours the local office can be open.

AGREEMENT #3220 WITH DEPARTMENT OF CORRECTIONS:

Commissioner Hyde commented on the SB 1145 funding and what is happening in Salem on this. This is supposed to be a fully funded mandate but it isn't any longer and a couple of counties have opted out of providing these services and sent it back to the State. John addressed two problems with the agreement. On page 11 of 15, it refers to the old, and no longer in effect, public contracting statues and that needs to be reflected. Also, the motion needs to authorize the Chair to sign. He noted that the budget page is blank and is to be added once the County Corrections Plan is approved. That has already been done and we know what the budget amount will be. After discussion, Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve Agreement #3220 with the Oregon Department of Corrections with changes noted by John Knight and authorize the Chair to sign. The motion carried unanimously.

CONTRACT WITH STATE MARINE BOARD:

When John first reviewed this contract, he noticed that it was signed by Crook County Sheriff. It appears that they got our contract and we go theirs. In going through the mail, John found the contract for Columbia County. When reviewing it, he found that the budget dollars don't match our budget. John will need to do some research on this before he can made a recommendation. With that, this contract was held over for action.

2005-2007 AGREEMENT WITH DHS:

John explained that, every two years, we get a contract from the Department of Human Services to pass-through 100% of the funding for mental health services, alcohol, drug and gambling addition services, etc. This year there has been a lot of negotiations between the Department of Justice and some County Counsel's trying to make these contracts more fair. The State has agreed to some changes, but not all. The State has said that, for counties who are not comfortable signing the 2 year biennial contract, they can cross out the termination date of June 30, 2007 and put in a 90 day termination date. At this time, John would recommend that is what Columbia County should do. That puts more pressure on the State to negotiate. He noted that the current contract expires tomorrow and therefore, there is a need to approve this.

After discussion, Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve the 2005-2007 Agreement with the Department of Human Services, with the termination date of September 30, 2005. The motion carried unanimously.

AGREEMENT WITH CCMH:

John realized, after reviewing the agreement with DHS, that the contract with CCMH expires tomorrow, June 30th. He has drafted an amendment to that contract and recommended approval with the same termination date of September 30, 2005. With that, Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve the Amendment #1 to the Agreement with CCMH, to reflect the termination date of September 30, 2005. The motion carried unanimously.

COMMISSIONER HYDE COMMENTS:

Last Thursday, Commissioner Hyde had the pleasure of attending the Teevin Bros.' ribbon cutting for their new dock. It's a very nice facility and will create a number of new jobs.

He was invited by the Governor to be present for the signing of SB281.

On Friday and Saturday he attended a Rural Development Initiative conference, which was paid for by AOC. He was a presenter at one of the workshops. Always a lot of good information and he saw a lot of people from Columbia County there.

On Monday, he attended an AOC legislative meeting and traveled with the Executive Board to negotiate with Senator Schraeder on some issues.

COMMISSIONER CORSIGLIA COMMENTS:

Commissioner attended his first RAC meeting in Salem and is looking forward to the next one tomorrow. Hopefully he will be participating in some decisions that will benefit the counties.

He enjoyed him self on vacation last week.

COMMISSIONER BERNHARD COMMENTS:

Commissioner Bernhard also attended the Teevin's dock commissioning in Rainier. She was very impressed with the work done on this project. This project was almost entirely completed with private funds. This will help the County considerably.

On Saturday, she attended the Deer Island school 100 year alumni gathering. It was interesting to talk with the people and see the old pictures.

She also went to Clatskanie Heritage Days, Rainier Farmers Market, the funeral service for Sharon Wagner and the Boise union picnic at the Fairgrounds

On Monday, she went to a gathering for Self-Help Housing to accept some state dollars as well as a US Bank donation. They are starting 11 new homes. People moving in will have to participate with sweat equity.

She wanted to thank Janet Wright for all of the work she has put in on the transportation project. It is finally at an end and, based on a recommendation from an evaluation committee and the Transportation Committee, a contract will be awarded to Metro West to provide transportation services to Columbia County. She also wanted to thank Metro West and SCAT for providing transportation services during the interim.

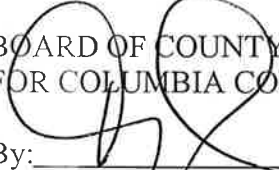
There was no Executive Session held.

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

Dated at St. Helens, Oregon this 29th of June, 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