

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

August 10, 2005

The Columbia County Board of Commissioners met in scheduled session with Commissioner Anthony Hyde, Commissioner Joe Corsiglia and Commissioner Rita Bernhard, together with Sarah Tyson, Assistant County Counsel and Cynthia Zemaitis, Acting 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 August 3, 2005 Board meeting. The motion carried unanimously.

VISITOR COMMENTS:

None.

HEARING: YARBOR/YARBOR/HICKEY ZONE CHANGE FROM SM TO FA-19:

This is the time set for the public hearing, "In the Matter of the Application of Jeff Yarbor, Joel Yarbor and Bud Hickey for a Comprehensive Plan Amendment and Zone Change from Surface Mining (SM) to Forest Agriculture (FA-19)".

Commissioner Corsiglia declared a conflict of interest in this matter and will not be participating in the hearing. His wife works for Ticor Title and is involved in this transaction.

Sarah Tyson dealt with the administrative matters. This is a matter on the record of the Planning Commission, however, she would recommend that the Board make a motion to hold this hearing de-novo because there is no evidence in the record that all owners of this property have signed the application. That would be required if the Board should approve this application. With that, Commissioner Bernhard moved and Commissioner Hyde seconded to hold this hearing de-novo. The motion carried.

Commissioner Hyde and Commissioner Bernhard stated they have no conflicts of interest and have had no exparte 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, labeled Exhibit "1" and noted all contents.

Glen Higgins, Chief Planner, came before the Board to give the staff report. The subject property is just off Lindberg Road near Clatskanie (known as the Old Sutter Quarry). The old Sutter Quarry has not been mined for years and is now certified as reclaimed by the Surface Mining Administrator. The applicants have applied for a zone change to change the zoning from Surface Mining to Forest Agriculture to allow for a dwelling. The property has been listed for sale and

James Morrison wants to purchase the property and build a home. The Board decided to take jurisdiction over the Morrison Conditional Use application because the zone change had to be reviewed by the Board and the Conditional Use Permit application is contingent upon approval of this zone change. After review of the criteria and findings, Glen stated that both the Planning Commission and LDS staff recommend approval of the zone change. Glen noted that Joel Yarbor and Bud Hickey have not yet signed the application which is required. There has been no adverse testimony received.

The hearing was opened for public testimony.

PROPOSERS:

Jeff Yarbor, 28162 Pittsburg Road, St. Helens: He is one of the three applicants for this zone change. He thought the property was supposed to revert back to forest/farm use zoning after the surface mining was complete. However, that was not the case and therefore a zone change is required.

OPPOSERS:

None.

Sarah entered the DLCD letter into the record labeled Exhibit "2". With no further testimony coming before the Board and after some discussion, the hearing was closed with the exception of evidence showing authorization from the two other property owners for this application. With that, Commissioner Bernhard moved and Commissioner Hyde seconded to close the hearing, leave the record open for 7 days specifically for evidence showing authorization from the two other property owners on the zone change and deliberate on August 17, 2005 at or after 10:00 a.m. The motion carried.

HEARING: JAMES MORRISON CONDITIONAL USE PERMIT IN FA-19:

This is the time set for the public hearing, "In the Matter of the Application of James & Willa Morrison for a Conditional Use Permit to Site a Single Family Dwelling in the Forest Agriculture (FA-19) Zone"

Sarah Tyson explained that this Conditional Use Permit cannot be approved until the zone change application, just heard by the Board, is approved and finalized. The Board took jurisdiction over this application on June 28, 2005 because approval is contingent upon the zone change being approved. Commissioner Corsiglia feels that because this is connected to the first hearing, he again will declare a conflict of interest and will not be participating in this hearing.

Sarah then read the pre-hearing statement into the record as required under ORS 197.763. She entered County Counsel's hearing filed into the record, labeled Exhibit "1".

Glen Higgins, Chief Planner, came before the Board to give the staff report. After review of the applicable criteria and findings, staff is recommending approval of this conditional use permit, with conditions noted in the staff report, contingent upon approval of the zone change.

PROPOSERS:

James and Willa Morrison, 3578 Gorgonio Road, Phelan, California: They are planning to retire and move back to Oregon. They want to purchase this property to build a home for themselves and their grandchildren who they are raising. They are in favor of the application.

OPPOSERS:

None.

With no further testimony coming before the Board, the hearing was closed. Commissioner Hyde and Commissioner Bernhard both have no problems with this but have to wait until after the zone change for any formal action. Therefore, Commissioner Bernhard moved and Commissioner Hyde seconded to hold deliberations on this matter over to next Wednesday, August 17, 2005 at or after 10:00 a.m. The motion carried.

CONSENT AGENDA:

Commissioner Hyde read the consent agenda in full. Commissioner Bernhard wanted to comment on Order No. 56-2005 and wanted to compliment Cynthia Zemaitis on all of the work she has done on this. With that, Commissioner Corsiglia moved and Commissioner Bernhard seconded to approve the consent agenda as follows:

- (A) Ratify Select-to-Pay for 8/9/05.
- (B) Authorize the District Attorney to fill one Deputy District Attorney I position.
- (C) Authorize Sue Poling to fill one Assessment Clerk II position in the Assessor's Office.
- (D) Approve step increase for Janet Wright, effective 8-12-05.
- (E) Order No. 54-2005, "In the Matter of a Closure Order for the Lammi Sand and Rock Products Surface Mine (Operating Permit No. 05-0029)".
- (F) Order No. 55-2005, "In the Matter of a Measure 37 Claim for Compensation (CL 05-09) by James Ray"..

- (G) Order No. 56-2005, "In the Matter of Amending the Public Records Policy, Exempting Specific Public Records from the Provisions of the Policy and Incorporating the Fee Schedule.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (H) Interagency Agreement with the Department of Fish and Wildlife for Sauvie Island Law Enforcement.
- (I) USDA FY 2005-06 Work Plan/Proposed Budget for wildlife damage management program.
- (J) Amendment #1 to the Intergovernmental Agreement #5408 with Oregon Corrections Enterprises.
- (K) Intergovernmental Agreement #5422 with Oregon Corrections Enterprises.
- (L) Approve the Facility Grant Cooperative Agreement #1256 with the State Marine Board for Beaver Landing Boating Improvements and authorize the Chair to sign.
- (M) Approve the Facility Grant Cooperative Agreement #1255 with the State Marine Board for JJ Collins East Boating Improvements and authorize the Chair to sign.

The motion carried unanimously.

COMMISSIONER HYDE COMMENTS:

Last week, Commissioner Hyde attended an AOC workshop in Astoria. A lot of discussion was held on what went right and what went wrong with the last legislation.

On Friday, Saturday and Sunday he was participating in the Vernonia Jamboree and worked the logging show on Sunday. It included a bit part in a movie they are filming in Vernonia.

The Board attended the Creekside Center ribbon cutting on Monday. This new mental health facility is a top notch, state of the art facility.

COMMISSIONER CORSIGLIA COMMENTS:

Commissioner Corsiglia commented on the new mental health facility at Creekside Center.

Last week, he attended the Columbia River Channel Deepening ceremony in Portland with Pete Williamson. There was an excellent turnout. This is important because the Columbia River is our source of income and economic development.

He and Debi spent the weekend in Vernonia for the Jamboree and really enjoyed themselves.

COMMISSIONER BERNHARD COMMENTS:

Commissioner Bernhard also attended the Vernonia Jamboree. She also attended the Black Tie & Blue Jeans event on Saturday. It was very well attended and understands a record amount of money was raised.

There was no Executive Session held.

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

Dated at St. Helens, Oregon this 10th day of August, 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