

COLUMBIA COUNTY BOARD OF COMMISSIONERS  
BOARD MEETING

MINUTES

April 12, 2006

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

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

**MINUTES:**

Commissioner Bernhard moved and Commissioner Hyde seconded to approve the minutes of the April 5, 2006 Board meeting. The motion carried unanimously.

**HEARING: WENDY HART - DOG KILL:**

This is the time set for a public hearing to determine whether dogs owned by Wendy Hart have been engaged in harming or chasing livestock. John Knight reviewed the statutes that apply to this hearing. John spoke briefly with Wendy Hart on Monday and then spoke with Kathleen Callahan, attorney for Ms. Hart this morning. John felt it appropriate to have Ms. Callahan speak, which may eliminate the need for this hearing.

Kathleen Callahan, attorney for applicant approached the Board. She stated that Ms. Hart's dogs have been getting loose the past few weeks, but did not realize the amount they were getting out or the damage they were causing, until the 29<sup>th</sup> when the Shepard was picked up by Animal Control. There were some words exchanged and then the Animal Control officer went to the house and picked up the lab, based on the fact that the lab had killed chickens belonging to Mr. Queen. Ms. Hart has paid him for the chickens and is willing to do whatever is necessary to keep the dogs contained and keep good relations with the neighbors. The dog is still impounded and the fees are continuing so she is asking that the Board authorize the release of the dog and allow Ms. Hart to use the money, in lieu of paying the fees and fines, to get the dogs contained.

Mr. Frank Queen, 31455 Tide Creek Road, Rainier, spoke to the Board. He is the neighbor whose (7) chickens were killed. He has been paid for the chickens, but wanted to state that he has talked with Ms. Hart 4 times and nothing was ever done until the dogs killed his chickens and he chained up the dogs. He wants to be a good neighbor, but he is tired of this and won't continue to deal with it. The next time it happens, he has the right to kill the dogs and will do so. He does not want the dogs on his property again.

Roger Kadell, Animal Control Officer, explained the type of enclosure that would be needed and, for a fully enclosed structure, it would cost anywhere between \$250 - \$500. However, the dogs need adequate space to run and there may be a need for secondary fenced area for them to run.

Mr. Queen stated that he only witnessed the lab killing his chickens, but both dogs run together.

Commissioner Hyde feels it doesn't make sense to impose a fine, if that money could be used to solve this issue and contain the dogs. However, if this comes before the Board again, they won't be so lenient.

When John spoke with Ms. Callahan, he informed her that there are two citations. One for the nuisance and one for the chicken kill. He also told her that he was willing to recommend to the Board that the tickets be dismissed if steps are taken for containment of the animals. His only concern is that there is some type of incentive to get this done. The fees currently are \$30 for the impound plus \$120 for the 10 days of impoundment, along with the fine itself. That would continue to increase until the dogs are released. Commissioner Corsiglia would like to see what the actual costs are for impoundment, versus the fine. The County needs to be covered for actual costs.

Roger felt that the impound fees should be recouped, but he is not concerned with the actual fine.

After discussion, John would suggest that the Board go into Executive Session to discuss further.

**VISITOR COMMENTS:**

None.

**CONSENT AGENDA:**

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

- (A) Ratify Select-to-Pay for 4/11/06.
- (B) Order No. 20-2006, "In the Matter of Waiving Recording Fees for the Recording of Documents for or on Behalf of Columbia County".
- (C) Order No. 29-2006, "In the Matter of Accepting a Deed from the Port of St. Helens [Chapman Landing]".
- (D) Order No. 30-2006, "In the Matter of Claim Nos. CL 06-01, CL 06-02, CL 06-03 and CL 06-04 Submitted by Lenske Properties, LLC for Compensation Under Measure 37".
- (E) Order No. 31-2006, "In the Matter of Declaring Certain Access Approach Deposits Forfeited and Transferring said Deposits from the County Treasurer's Deposit Fund to the County Road Fund".
- (F) Appoint Marie Gadotti to the Farm Use Board of Review for a 2 year term.

- (G) Authorize the County Clerk to fill one full time position.

**AGREEMENTS/CONTRACTS/AMENDMENTS:**

- (H) Approve State GIS Framework Data License Agreement.
- (I) IGA with Department of Revenue - ORMAP funding of new HP Plotter.
- (J) Amendment #21 to the 2005-2007 Intergovernmental Agreement #113022 with DHS.

The motion carried unanimously.

**COMMISSIONER CORSIGLIA COMMENTS:**

Commissioner Corsiglia attended the League of Women Voters meeting yesterday and wanted to compliment Phil Derby on his presentation on the Law Enforcement Levy.

**COMMISSIONER BERNHARD COMMENTS:**

Commissioner Bernhard also attended the League of Women Voters yesterday and agreed that Sheriff Derby did a good job on his presentation and discussion on treatment.

She was on vacation last week in California and it rained all week.

Prior to going on vacation, she had the opportunity to ride in the Lewis & Clark event canoe that was parked at the Courthouse dock.

**COMMISSIONER HYDE COMMENTS:**

Last Wednesday, Commissioner Hyde met with a focus group on emergency management to look at developing an Emergency Management Commission.

He reported on the request to the E-Board on DA funding.

On Friday, he attended the Regional Partnership meeting in Astoria - a speaker was there to discuss their Economic Development council and how well it has worked. We will be looking at that their program for ourselves. He noted that every city was represented at that meeting.

On Monday, he attended an AOC Legislative meeting in Salem. There are 165 initiatives still floating out there. Some are M37 initiatives on both sides of the issue. Then they met with an attorney from the AG's office to talk about Measure 37 claims. They expect some finality in the court system on Measure 37 claims in 5-10 years.

**EXECUTIVE SESSION UNDER ORS 192.660(1)(h) - LITIGATION:**

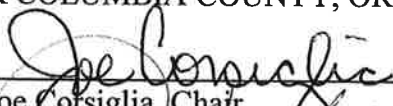
The Board recessed the regular session to go into Executive Session as allowed under ORS 192.660(1)(h). Upon coming out of Executive Session, Commissioner Hyde moved and Commissioner Bernhard seconded to direct John Knight to draft a last chance agreement with Wendy Hart. The motion carried unanimously.

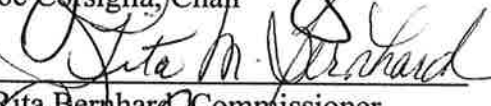
With nothing further coming before the Board, the meeting was adjourned.

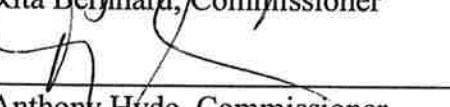
Dated at St. Helens, Oregon this 12<sup>th</sup> day of April, 2006.

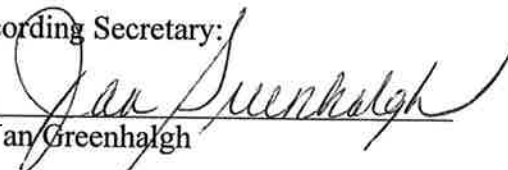
NOTE: A tape of this meeting is available for purchase by the public or interested parties.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By:   
Joe Corsiglia, Chair

By:   
Rita Bernhard, Commissioner

By:   
Anthony Hyde, Commissioner

Recording Secretary:  
By:   
Jan Greenhalgh