

COLUMBIA COUNTY BOARD OF COMMISSIONERS  
BOARD MEETING

MINUTES

June 21, 2006

The Columbia County Board of Commissioners met in scheduled session with Commissioner Joe Corsiglia and Commissioner Rita Bernhard, together with John Knight, County Counsel and Jan Greenhalgh, Board Secretary. Commissioner Hyde was not present.

Commissioner Corsiglia 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 13, 2006 Work Session; June 14, 2006 Board meeting and June 14, 2006 Staff meeting. The motion carried unanimously.

**VISITOR COMMENTS:**

None.

**PROCLAIM JUNE 18-24, 2006 AS "AMATEUR RADIO WEEK":**

After reading the proclamation, Commissioner Bernhard moved and Commissioner Corsiglia seconded to proclaim June 18-24, 2006 as "Amateur Radio Week". The motion carried unanimously.

**CONSENT AGENDA:**

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

- (A) Ratify the Select to Pay for 6/20/06.
- (B) Approve Personal Action for longevity increase for Jan Greenhalgh.
- (C) Authorize Phil Derby to fill one Corrections Deputy position.
- (D) Accept the donation of one 2000 Chevrolet Impala and one 1995 Ford Crown Victoria from the City of St. Helens to the Columbia County Juvenile Department and approve Donation forms.
- (E) Authorize Sue Poling to fill one Assessment Clerk I position.

- (F) Order No. 46-2006, "In the Matter of Increasing the Fee Schedule for Services of the Columbia County Surveyor's Office".

The motion carried unanimously.

**MEASURE 37 CLAM: HILLCREST INVESTMENTS:**

Todd Dugdale, LDS Director, came before the Board to give the staff report on the Measure 37 claim filed by Richard Recht on behalf of Hillcrest Investments for two Hillcrest subdivision lots together comprising approximately ½ acre in size off of Callahan Road in Scappoose. Claimant is claiming a reduction in fair market value for these parcels in the amount of \$3,000 due to a 1997 amendment to the County's subdivision regulations, Section 207A which is interpreted as requiring a replatting process in order to move a lot line in a platted subdivision. Claimant wants to move a lot line between lots 5000 and 8000 so as to reduce the size of lot 5000 for the purpose of sale to an adjoining property owner to increase his single family site size. No comments or request for a hearing was received. Staff notes that the language requiring a replat in a previously platted subdivision was in Section 207A before the claimant acquired the property, but not uniformly applied to prohibit lot line adjustments in subdivisions. Staff concedes that after adoption of Ordinance No. 97-3, Section 207A was consistently interpreted requiring replatting in subdivisions and prohibiting the use of lot line adjustments without the resultant lots complying with the minimum lot size standard in the zone (in this case 19 acres for County and 80 acres for State). An appraisal was received, which Todd handed to the Board for review. Staff has difficulty in finding that there has been a reduction in value as a result of the inability of the claimant to reconfigure the property as proposed using a property line adjustment process. Staff has prepared a Board order with alternative language for either a waiver or denial based on the Board's decision as to the affect on fair market value of the restriction on use of the property line adjustment process. Staff recommends that the Board determine the amount, if any, by which the cited regulations reduced the value of the claimants properties, and act accordingly to pay just compensation in that amount, or, in the alternative, to not apply CCZO Sections 207A requiring that the replatting procedure be applied to any change in common lot lines for tax lots 5000 and 8000.

Although the replatting requirement in subdivisions is cumbersome and unnecessary in many cases, it is a requirement in the ordinance. To change that would take an amendment to the ordinance, which should be looked at.

After discussion, Commissioner Bernhard moved and Commissioner Corsiglia seconded to deny Measure 37 Claim CL 06-07 by Hillcrest Investments and adopt Order No. 47-2006 with Option 1. The motion carried unanimously.

Further, based on the discussion held today, Commissioner Bernhard moved and Commissioner Corsiglia seconded to direct staff to proceed with amending the Subdivision and Partitioning Ordinance as soon as possible. The motion carried unanimously.

**MEASURE 37 CLAIM(S): ROBERT ERICKSON & ERICKSON ENTERPRISES:**

Todd Dugdale gave the staff report on three separate Measure 37 Claims CL 06-08; 06-10; and 06-11 filed by Robert Erickson representing four RR-5 zoned parcels in Scappoose. Tax lot 300 is owned by Robert and Elaine Erickson and Tax lots 900, 3000 and 3100 are owned by Erickson Enterprises, Inc. a corporation for which Robert Erickson is president. Claimant is claiming a reduction in fair market value for these parcels in the amount of \$1,203,000 due to land use regulations which restrict the proposed division of tax lots 300, 900 and 3000 into 1-2 acre lots for residential use and use of tax lot 3100 for light commercial use. Notice was provided for a 14 day period in which to submit comments on the claim or to request a public hearing. Written comments were received concerning the claim on tax lot 300 and 900 from William and Patricia Thomas expressing concern regarding denser development than is appropriate for the area and requesting that the claimant be limited to creating and development on lots that are equal to or are larger than two acres. No hearing was requested.

Based on the staff report, staff has determined that the claimant has met the threshold requirements of a Measure 37 claim for the three subject claims. Staff recommends that the Board determine the amount, if any, by which the cited regulations reduced the value of the claimant's properties, and act accordingly to pay just compensation in that amount, or, in the alternative, to not apply CCZO sections 201, 210 and 604.1 to tax lots 300, 900 and 3000 and to not apply CCZO Sections 201, 602 and 603 to tax lot 3100.

After discussion, Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve Order No. 48-2006, "In the Matter of Claim No. CL 06-08 for Compensation under Measure 37 submitted by Robert and Elaine Erickson". The motion carried unanimously.

Further, Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve Order No. 49-2006, "In the Matter of Claim No. CL 06-10 for Compensation under Measure 37 submitted by Erickson Enterprises, Inc.". The motion carried unanimously.

Lastly, Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve Order No. 50-2006, "In the Matter of Claim No. CL 06-11 for Compensation under Measure 37 submitted by Erickson Enterprises, Inc.". The motion carried unanimously.

**GRANT AGREEMENT WITH CRIMINAL JUSTICE DEPARTMENT:**

John Knight reviewed a Block Grant agreement with the State which funds \$10,000 for the Juvenile Department for in home treatment. This is a typical grant document but he still needs time to review it. With that, Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve grant agreement #05-604, subject to County Counsel review and approval. The motion carried unanimously.

**COMMISSIONER CORSIGLIA COMMENTS:**

Commissioner Corsiglia wanted to praise the General Services department for their work on the

Commissioner's meeting room. It looks very nice and adds to the professionalism. There are many other projects GS is working on and he just wanted to thank them for their hard work

He enjoyed his vacation last week camping around Oregon. He found that once you leave the state highway, every county has road problems.

**COMMISSIONER BERNHARD COMMENTS:**

Commissioner Bernhard attended Noel Thompson's funeral last week. Noel contributed a lot to this county and will be missed. She also attended Bob Dent's service. Both men were very active in Columbia County. Sympathies go out to their families.

She attended a rail meeting in Rainier last week. There will be a need for additional rail service with Port Westward going in and they discussed the safety impacts. The next city/county meeting will be in Rainier and this will be a good topic for discussion.

Last weekend, she attended the parade in St. Helens put on by Kiwanis which was a very nice family event.

On Saturday night, she attended the fireworks fundraiser in old towne. The Weiner's played and it was very well attended.

Her family is in town this week, which is the first time they have all been together in 14 years. She is taking some time this week to show them some of the sites of Oregon.

**COMMISSIONER HYDE COMMENTS:**

Not present.

**BLOCK GRANT AGREEMENT FOR THE JUVENILE DEPARTMENT:**

John has been reviewing the grant agreement discussed earlier and has no changes other than it only requires one signature. With that, Commissioner Bernhard moved and Commissioner Corsiglia seconded to authorize the Chair to sign the Block Grant Agreement #05-604. The motion carried unanimously.

There was no Executive Session held.

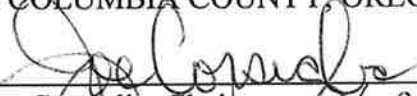
With nothing further coming before the Board, the meeting was adjourned.

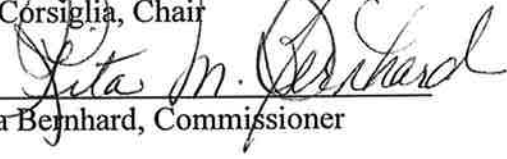
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Dated at St. Helens, Oregon this 21<sup>st</sup> day of June, 2006.

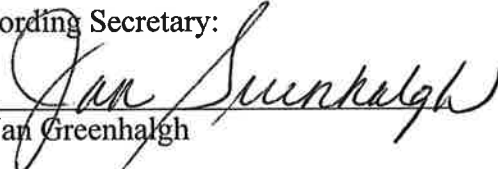
NOTE: A tape of this meeting is available for purchase by the public or interested parties.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By:   
Joe Corsiglia, Chair

By:   
Rita Bernhard, Commissioner

Recording Secretary:

By:   
Jan Greenhalgh

By: Not Present  
Anthony Hyde, Commissioner