

COLUMBIA COUNTY BOARD OF COMMISSIONERS  
BOARD MEETING

MINUTES

January 17, 2007

The Columbia County Board of Commissioners met in scheduled session with Commissioner Rita Bernhard, Commissioner Anthony Hyde and Commissioner Joe Corsiglia, together with John Knight, County Counsel, Sarah Hanson, Assistant County Counsel, and Kathy MacNeill, Recording Secretary.

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

**MINUTES:**

Commissioner Hyde moved and Commissioner Corsiglia seconded to approve the minutes of the December 13, 2006 Board meeting; January 9, 2007 Work Session; January 10, 2007 Board meeting; and January 10, 2007 Staff meeting. The motion carried unanimously.

**VISITOR COMMENTS:**

None.

**ELK CREEK COUNTY ROAD:**

Dave Hill and Aaron Clodfelter, Road Department, came before the Board to discuss the situation with Elk Creek Road. The Road Department has received many complaints about the road and rightfully so. The road is in very poor condition and the Road Department has attempted to patch the potholes in the road. One resident feels that the crew is doing what they can and has no ill feelings towards the Road Department, but considers this a significant hazard and people are going into the ditches to avoid the potholes. Residents have suggested turning the road back to gravel. Dave feels that maintenance on this road is a losing battle. Because there is not adequate base rock under the road to support the asphalt surface, placing additional asphalt on the road would only be a temporary patch at best. Dave stated that the road crew can no longer keep up with the deteriorating condition of the road. With the large potholes, people driving in ditches and opposing lanes to avoid the potholes, the amount of resources being spent and the inadequate amount of base rock, sections of the road must be turned back to gravel now. He informed the Board that, with future revenues uncertain, the road crew will be returning a section of Elk Creek Road back to gravel.

**PUBLIC HEARING: TERRY DEATON - MODIFICATION OF ROAD STANDARDS:**

This is the time set for the public hearing, "In the Matter of the Application of Terry Deaton for a Modification of a Condition of Preliminary Partition and Modification of Columbia County Road Standards".

Sarah stated that, on November 29, 2007, the Board took original jurisdiction over this application. Ms. Deaton has filed an application for a modification of a condition of preliminary partition and modification of the Columbia County Road Standards. This is the time set for the hearing. She asked if the Board had any ex parte contact or conflicts of interest. Commissioner Bernhard and Commissioner Corsiglia stated they had ex parte contact with the applicant, however, it was prior to this application being filed. Sarah read the pre-hearing statement as required by ORS 193.763 and entered County Counsel's hearing file into the record, marked Exhibit "1" and listed all contents.

Todd Dugdale, LDS Director, came before the Board to give the staff report. On October 6, 2006, the final order for the applicant's proposed 3 parcel partition, MP 07-08 was administratively approved with 6 conditions that the applicant needed to meet before Land Development Services would approve and sign the final plat. On November 29, 2006, the Board of Commissioner's heard a request from the applicant to modify condition #5 and a modification to the County Road Standards. These modifications, if approved, will not require minimum and interim fire apparatus access improvements be made to Barton Road before the Light Industrial properties are created. The partition will create 3 parcels along Barton Road in Rainier as follows: **Parcel 1** - the applicant's single family residence, 9.35 acres; **Parcel 2** - a 21 space Mobile Home Park with 6 acres; and **Parcel 3** - vacant 10.19 acres. Prior to final approval of this partition, the Public Works Director is requiring that the applicant improve Barton Road to minimum and interim standards of fire apparatus access roads. These minimum improvements include: **1)** Widening Barton Road's existing 17 foot road base to 20 feet from Dike Road to the entrance of the Mobile Home Park on Parcel 2; and **2)** Widening Barton Road base to 12 feet for the remainder of its road frontage west of the entrance of the Mobile Home Park. Although these improvements will suffice for final partition approval, the Public Works Director will require additional improvements to Barton Road prior to the issuance of any building permits on these 3 parcels.

Staff recommends that the applicant comply with one of the following options before final approval of preliminary approved MP 07-08: **1)** Widen Barton Road to a 20 foot travel lane to the Mobile Home Park entrance and then 12 feet from the remainder of the property in accordance with County Road Standards; or **2)** Provide a Performance Guarantee for completion of required improvements to Barton Road (which is usually only good for 2 years); or **3)** Enter into a Development Agreement with the County that guarantees the interim minimum improvements to Barton Road prior to the issuance of building permits on the applicant's parcels (which is more flexible)..

Staff is recommending that the applicants proposed modification to Condition #5 of preliminary approved MP 07-08, as well as a modification to county road standards be denied. Prior to final partition approval, the applicant shall be required to improve Barton Road to minimum interim standards necessary to guarantee emergency vehicular access to her entire property. She can build the road improvements, financially secure these improvements through bonding or establishing an escrow/cast account, or she can enter into a Development Agreement with the County.

After discussion with staff, the hearing was opened for public testimony.

**PROPOSERS:**

***Terry Deaton, 76579 Barton Road, Rainier:*** She is the applicant and stated that she has no plans to develop this property, she just wants to sell property and the mobile home park. She would suggest that if the county is going to let people partition their property, they should explain the ramifications. These requirements make it very difficult.

With no further testimony coming before the Board, the hearing was closed for deliberation. Commissioner Hyde would agree with Sarah to require a Development Agreement. Commissioner Corsiglia feels that staff is trying to accommodate Ms. Deaton without creating a precedence. Commissioner Bernhard understands situation and that Ms. Deaton is just trying to sell the mobile home park. After discussion, Commissioner Hyde moved and Commissioner Corsiglia seconded to approve the request for a modification of Condition #5, and compliance with Condition #5 within 6 months, to be articulated in a Development Agreement, not to include Parcel #3. The motion carried unanimously. Sarah will draft the Development Agreement and order for final approval

**CONSENT AGENDA:**

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

- (A) Ratify the Select-to-Pay for 1/16/07.
- (B) Ratify approval of Partition Plats for Garden Court Subdivision and Wayne & Joan Navolynski.
- (C) Ratify Order No. 10-2007, "In the Matter of the Contract for Purchase and Installation of a Furnace for the Family Resource Center".
- (D) Approve creation of the position of Survey Technician and assign to Salary Range 20. Authorize Surveyor to fill position contingent upon the availability funds from an increase in Surveyor fees and the Corner Restoration support.

**AGREEMENTS/CONTRACTS/AMENDMENTS:**

- (D) GIS Data License Agreement with Bonneville Power Administration.
- (E) GIS Data License Agreement with SWCA Environmental Consultants.

The motion carried unanimously.

**COMMISSIONER BERNHARD COMMENTS:**

Commissioner Bernhard commented on the recent weather closures and feels everything worked out.

She went to Redmond over the weekend to attend the funeral of Senator Betsy Johnson's mother. It was very formal and a nice service. Dave Fronmeyer, Senator Gordon Smith, Governor Ted Kulongowski and Gary Frank also were in attendance.

**COMMISSIONER HYDE COMMENTS:**

Commissioner Hyde also commented on the weather conditions and felt everything went well. With the consideration of employee safety, they were still able to keep services open for the public.

He will be attending an O&C meeting in Salem if it's not canceled.

**COMMISSIONER CORSIGLIA COMMENTS:**

Commissioner Corsiglia stated that most meetings ended up being conference calls due to the bad weather.

**EXECUTIVE SESSION UNDER ORS 192.660(2)(f)(e):**


The Board recessed the regular session to go into Executive Session as allowed under ORS 192.660(2)(f)(e). Upon coming out of Executive Session, no action was taken by the Board.

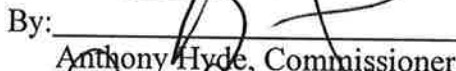
With nothing further coming before the Board, the meeting was adjourned.

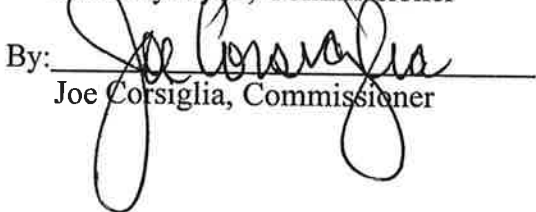
Dated at St. Helens, Oregon this 17<sup>th</sup> day of January, 2007.

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:   
Rita Bernhard, Chair

By:   
Anthony Hyde, Commissioner

By:   
Joe Corsiglia, Commissioner

Recording Secretary:

By:   
Kathy MacNeill