

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

May 2, 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 Jan Greenhalgh, Board 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 April 24, 2007 Work Session; April 25, 2007 Board meeting; and April 25, 2007 Staff meeting. The motion carried unanimously.

VOLUNTEER APPRECIATION AWARDS:

The Board honored the RSVP volunteers for all of the many hours they put in working at the County. The Board then presented gifts and certificate of appreciations to Carmel Chatterman, Sally Norbom, Chuck South, Mary Kucera, Dorothy Carpenter and Elaine Widmer.

Jan Kenna also wanted to personally thank these volunteers for the hundreds of hours they volunteer. They do a lot of work for the Commission on Children & Families and without their help and support, the work wouldn't get done.

VISITOR COMMENTS:

None.

DELIBERATIONS: PACIFIC CASCADE RESOURCES SURFACE MINING PERMIT:

This is the time set for deliberation, "In the Matter of the Application of Pacific Cascade Resources - Siercks Road Site for Renewal of a Surface Mining Operating Permit #05-0032 for the Period 2006-2011".

Sarah mentioned that the record has been closed in the matter. At the last meeting, there was a suggestion that the applicant meet with the opposition to discuss concerns and come to some kind of resolution. Sarah has received word that no agreement was reached between the parties. She would recommend that the record be left closed and the Board deliberate at this time.

Todd Dugdale, LDS Director, suggested some modifications in Condition #10 was recommended by Bob Brinkman, the applicant notify the county before resuming any activity and file an operating plan prior to resuming activity at the site. Todd would suggest that that condition be modified to read that "The Applicant shall notify the County before resuming

mining activities, including any level of activity. Prior to resuming mining activities, the Applicant shall also file a mining or operating plan which includes a survey and metes and bounds legal description of the permitted mining area". He would also suggest adding a sentence that states "The permitted mining area shall be field staked according to the survey clearly indicating permit boundaries".

Under deliberations, the Board reviewed the testimony given and the conditions of approval. After discussion, the Board added the following changes to the conditions: addition of a bond requirement; install and maintain a minimum 6 foot security cyclone fence on the high wall, with warning signs installed on both ends; a fence along Siercks Road with a gate to enter; insert "shall" to condition #4 along with "written" notice by certified mail. Sarah will articulate these changes into the final order for Board approval.

With that, Commissioner Hyde moved and Commissioner Corsiglia seconded to tentatively approve the application of Pacific Cascade Resources - Siercks Road Site for Renewal of a Surface Mining Operating Permit #05-0032 for the Period 2006-2011", with modified conditions as discussed and direct staff to prepare a final order for review and approval.

ORDINANCE # 2007-4: AMEND SYSTEM DEVELOPMENT CHARGE ORDINANCE:

Sarah explained that the Board adopted the System Development Charge back in January. At that time, the wrong fee schedule was attached. This amended Ordinance basically is to attach the correct fee schedule. The original ordinance goes into effect this month, therefore Sarah has added an emergency clause to this ordinance, so that it will still go into effect this month. Sarah then gave the 1st and 2nd reading of Ordinance No. 2007-4, by title only. With issue, Commissioner Hyde moved and Commissioner Corsiglia seconded to adopt Ordinance No. 2007-4, "In the Matter of Amending the Columbia County System Development Charge Ordinance to Correct Scrivener's Errors". The motion carried unanimously.

PUBLIC HEARING: ABATEMENT OF SOLID WASTE NUISANCE (LELAND EBERT)

This is the time set for the public hearing, "In the Matter of the Abatement of a Nuisance Created by the Accumulation of Solid Waste, Tax Account No. 4119-014-01400 (Leland Ebert)".

Sarah explained that this is a show cause hearing, not a public hearing. This allows Mr. Ebert and Mr. Brandenfels to come forward and show cause why the nuisance created by the accumulation of solid waste upon this parcel of land should not be abated.

Robert Crain, Code Enforcement Officer, came before the Board to give the staff report, with a detailed time line of violations and ensuing enforcement. This situation has been going on since 2003. Mr. Ebert was cited into court and fined. Those fines have been paid off, however, the nuisance on the property has become worse. Robert feels that the County has worked with Mr. Ebert for a number of years to allow him to clean up the property, but to no avail. Robert is asking that the County follow the procedures set forth in the ordinance and file an abatement against this property. It is a nuisance and a health hazard. Robert would estimate the cost of abatement at \$5,000 or less. Todd stated that there is \$5,000 in the abatement fund, but has

concerns if this abatement goes over that amount. However, because the County owns the Transfer Station, they can take some of the waste, although there is still a cost involved.

When asked if anyone was present to represent the respondents in this case, none came forward.

After discussion, Commissioner Hyde moved and Commissioner Corsiglia seconded to declare a nuisance "In the Matter of the Abatement of a Nuisance Created by the Accumulation of Solid Waste, Tax Account No. 4119-014-01400 [Leland Ebert]". The motion carried unanimously.

HEARING TO SOLICIT PUBLIC INPUT ON REGIONAL HOUSING CDBG GRANT:

This is the time set for the public hearing to solicit input on the CDBG Grant performance for the Regional Housing Center.

Bev Danner, CAT, spoke about the NW Oregon Regional Housing Center and the services it provides. From January 2006 thru December 2006, they served 380 families and individuals, giving details of those services.

The hearing was opened for public comments. With no comments coming before the Board, the hearing was closed. No action is required by the Board.

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 5/1/07.
- (B) Order No. 87-2007, "In the Matter of Claim No. CL 07-53 for Compensation Under Measure 37 Submitted by Priscilla Jauron".
- (C) Order No. 95-2007, "In the Matter of Claim Nos. CL 07-49 and CL 07-50 for Compensation Under Measure 37 Submitted by Bonnie Kay Parke, as Trustee of the Fred & Gladys Parke Living Trust".
- (D) Ratify Order No. 99-2007, "In the Matter of Claim Nos. CL 07-106, CL 07-107, CL 07-108, CL 07-109, CL 07-110, CL 07-111, CL 07-112, CL 07-113; CL 07-114, CL 07-115 Submitted by Stimson Lumber Company for Compensation Under Measure 37".
- (E) Order No. 100-2007, "In the Matter of Claim Nos. CL 07-83 and CL 07-84 Submitted by Loren Ellis Jr., Gloria Ellis, Stephen Ellis and Karen Ellis for Compensation Under Measure 37".
- (F) Order No. 101-2007, "In the Matter of the Closure of Certain Roads in Columbia County to Heavy Hauling".

- (G) Ratify Final Order No. 102-2007, "In the Matter of the Application of Scappoose Sand & Gravel Co. For a Limited Exemption Mining Certificate to Mine 10 Acres".
- (H) Ratify Order No. 103-2007, "In the Matter of Claim No. 07-125 Submitted by Jack Fazio for Compensation Under Measure 37".
- (I) Appoint Cathryn Hammond to the Columbia County Parks Advisory Committee for a 4 year term.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (J) Amendment #3 to the Intergovernmental Agreement #1759c with the Oregon Youth Authority and authorize the Chair to sign.
- (K) Personal Services Contract with EnviroLogic Resources, Inc.

The motion carried unanimously.

REQUEST BY HUMANE SOCIETY TO PLACE BUILDING AT SHELTER SITE:

Todd Dugdale received a request from the Humane Society for permission to site a 10' x 16' Tuff Shed at the rear part of the Animal Control site to house sick cats. The Humane Society will need to apply for a permit with the City of St. Helens and pay any costs involved. The permit requires a signature from the land owner, which is Columbia County.

Robert Crain noted that, because the Humane Society already has two metal storage shipping containers and a job office trailer placed on the site, the contract will need to be updated to include the current requested building and the other existing buildings. The Humane Society currently pays \$1 per year to lease the existing facilities and land from the County and they pay a pro-rate share of the utilities.

After discussion, Commissioner Hyde moved and Commissioner Corsiglia seconded to authorize LDS Director to sign the application for the City of St. Helens by the Columbia Humane Society for placement of a 10 x 16 building on the Animal Control Shelter site to house cats, with the condition that the pro-rata share of utilities paid by the Humane Society on all existing building be adjusted to reflect the additional costs to provide heat, electricity, water and sewer. The motion carried unanimously.

COMMISSIONER BERNHARD COMMENTS:

Commissioner Bernhard spent Friday and Saturday in Corvallis at an AOC college training for County Commissioners. Public health, mental health and the Commission on Children & Families were topics of discussion. It was a very informative session with excellent speakers from those fields of work.

On Thursday night, she went to a Sustainable Tourism meeting, which is a county wide group working to try to improve tourism in the County, by using the amenities that already exist.

COMMISSIONER HYDE COMMENTS:

Commissioner Hyde attended a REDCO meeting on Thursday and reminded them about the Intergovernmental Agreement regarding expenditures.

On Friday, he attended a Regional meeting on Emergency Management.

On Saturday, he helped with the cleanup day in Vernonia which went very well. There were about 35 people working on the museum and it looks amazing.

He also attended a LPSCC meeting.

He will be participating in a conference call today at 2:00 pm to discuss what's going on with PL 106-393.

He will also be participating in the Senior orals at the Vernonia High School today.

COMMISSIONER CORSIGLIA COMMENTS:

Commissioner Corsiglia was in Vernonia on Thursday working with a commercial enterprise who is expanding their operation. He is excited about helping acquire artwork of historic background and to enhance the new expansion.

He attended the Clatskanie Arts Commission Misty River Band last weekend. They are starting to create a real following and their events are growing.

On Saturday, he attended Forrie Smith's farewell party from KOHI.

On Sunday, he took a tour of the county roads. He went up to Holaday Road and Pisgah Home Road and can see what the neighbors are talking about.

On Tuesday, CASA attended the Kiwanis Club meeting and will be working as club President next year with them to help dysfunctional kids.

The Zenith Club is coming up on their 50 year anniversary and will soon be holding a celebration to recognize that in the upcoming years.

He attended the Traffic Safety Committee meeting this morning - nothing more on the abatement of the motorcycle issues. We are on target to set a new record for the number of fatalities in Columbia County and it's only May 1st.

TAMMY MAYGRA:

Tammy asked Commissioner Hyde about the emergency response meeting he attended and asked if it has ever been decided where people go in case of an emergency. Commissioner Hyde stated that is something being worked on but nothing articulated at this point.

EXECUTIVE SESSION UNDER ORS 192.660(2)(h):

The Executive Session was carried over to the Staff meeting at 2:00 pm today.

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

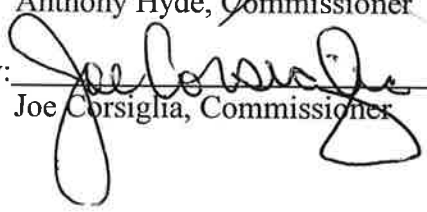
Dated at St. Helens, Oregon this 2nd day of May, 2007.

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: 
Jan Greenhalgh