

COLUMBIA COUNTY BOARD OF COMMISSIONERS  
BOARD MEETING

MINUTES

June 27, 2007

The Columbia County Board of Commissioners met in scheduled session with Commissioner Rita Bernhard, Commissioner Anthony Hyde and Commissioner Joe Corsiglia, together with Sarah Hanson, County Counsel, Spencer Parsons, 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 June 12, 2007 Work Session, June 12, 2007 Budget Hearing; June 13, 2007 Board meeting; June 13, 2007 Staff meeting; and June 14, 2007 Budget Hearing. The motion carried unanimously.

**VISITOR COMMENTS:**

None.

**HEARING: ORDINANCE 2007-6 ADOPTING JUSTICE OF THE PEACE ORDINANCE**

This is the time set for the public hearing on proposed Ordinance No. 2007-6, "In the Matter of Adopting a New Columbia County Justice of the Peace Ordinance".

Sarah Hanson - John drafted this ordinance and had submitted it to the Board for their review. Basically, it combines the two ordinances related to the CLE for the Justice of the Peace and also rescinds that ordinance and the current ordinance which creates the district boundary within the Vernonia and Clatskanie district. This ordinance expands the boundaries to all areas within the county, exclusive of the City of St. Helens jurisdiction. Sarah noted that this ordinance does include an emergency clause. The Justice of the Peace is eager to get this accomplished.

The hearing was opened for public testimony.

With no testimony coming before the Board, the hearing was closed for deliberations. Sarah read the ordinance, twice by title only. With that, Commissioner Hyde moved and Commissioner Corsiglia seconded to adopt Ordinance No. 2007-6, "In the Matter of Adopting a New Columbia County Justice of the Peace Ordinance" and noted that it includes an emergency clause. The motion carried unanimously.

**CONSENT AGENDA:**

Commissioner Bernhard noted that, because of the length of the consent agenda, she will not read it out loud. She asked if there are any items that need discussion. Because there are some questions about the Mental Health authority, Commissioner Hyde asked to remove Items (Q)

and ( R) and carry them over to Friday. The Board agreed and, with that, Commissioner Hyde moved and Commissioner Corsiglia seconded to approve the consent agenda as follows:

- (A) Ratify the Select-to-Pay for 6/19/07 & 6/26/07.
- (B) Cancel the July 4, 2007 Board meeting and Staff meeting.
- (C) Approve all Personnel Action forms for COLA increases for Department Heads and Board staff.
- (D) Authorize the District Attorney to fill one part-time temporary position and one .7 FTE Deputy DA I position in the District Attorney's office.
- (E) Approve the creation of the following positions: Building Services Manager and assign to exempt salary range 10; Building Inspection Supervisor and assign to non-exempt salary range 30; Purchasing Coordinator and assign to non-exempt salary range 22.
- (F) Eliminate the General Services Department and officially re-assign duties per above job descriptions.
- (G) Eliminate the classifications of: General Services Director, Building Official, Solid Waste Program Administrator, and Office Manager/General Services.
- (H) Freeze Bill Potter and Rod Hansen at current salary until assigned range exceeds current salary.
- (I) Authorize the Public Works Director to fill 3 vacant Road Maintenance Worker positions.
- (J) Amended Order No. 89-2007, "In the Matter of Amending Order No. 40-2006, In the Matter of Claim No. CL 06-09 for Compensation Under Measure 37 Submitted by Forrest and Geraldine Hemeon".
- (K) Ratify Order No. 111-2007, "In the Matter of Granting Permission to the Shire of Dragon's Mist of the Society for Creative Anachronism, Inc., to Conduct Certain Activities at Camp Wilkerson During Its Reserved Use From June 22 to June 24, 2007".
- (L) Order No. 112-2007, "In the Matter of Adopting a Policy Regarding the Chemical Agents and Use of Force by the Juvenile Department of Columbia County".
- (M) Order No. 113-2007, "In the Matter of the Distribution of Forest Trust Land Revenues [2007 Distribution]".

- (N) Order No. 114-2007, "In the Matter of the Distribution of Proceeds Under ORS 275.275 [2007 Distribution]".
- (O) Order No. 115-2007, "In the Matter of Reimbursing the Vernonia Rural Fire Protection District Pursuant to ORS 275.275(2) [2007 Distribution - Mist Gas Field Revenues]".
- (P) Order No. 116-2007, "In the Matter of Reimbursing the Mist-Birkenfeld Rural Fire Protection District Pursuant to ORS 275.275(2) [2007 Distribution - Mist Gas Field Revenues]".
- (Q) Order No. 117-2007, "In the Matter of the Adoption of the Columbia County Budget for Fiscal Year 2007-2008 and the Appropriations and Levying of Ad Valorem Taxes". **(PULLED & HELD OVER TO 6/29/07)**
- (R) Order No. 118-2007, "In the Matter of Transferring Appropriations within the Various Funds of the 2006-2007 Columbia County Budget". **(PULLED & HELD OVER TO 6/29/07).**
- (S) Order No. 119-2007, Findings & Conclusions, "In the Matter of the Application of Forest and Geraldine Hemeon for a Land Partition in the Primary Agriculture (PA-38) Zone".
- (T) Order No. 120-2007, "In the Matter of the Application of the Fred Luttrell Trust for a 5 Conditional Use Permits for Non-Resource Dwellings in the Primary Agriculture (PA-38) Zone".
- (U) Order No. 121-2007, "In the Matter of Amending the Personal Services Contracting Rule".
- (V) Order No. 122-2007, "In the Matter of Amending Local Rule No. 4 Under Ordinance No. 88-3, the Public Contract Review Board Ordinance".
- (W) Authorize the Fair Board to use a portion of Asbury Acres for the month of July for County Fair purposes.
- (X) Award Contract for the replacement of the Beaver Boat Ramp to RC Landworks, Inc., in the amount of \$158,070.50.
- (Y) Award the Construction Contract for Phase 1b of Port Westward Road Improvements to TFT Construction Co.
- (Z) Authorize Walt Pesterfield to fill one vacant Probation Officer position.
- (A1) Approve increase for Administrative Assistant for CCCC to .71 FTE.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (A2) Contract between CCCCCF and CCMH for Teen and Family Transition.
- (A3) Contract between CCCCCF and CCMH for Skills Trainer.
- (A4) Contract between CCCCCF and Columbia County Court Appointed Special Advocates (CASA).
- (A5) Contract between CCCCCF and Community Action Team for Healthy Start.
- (A6) Approve Personal Services Contract with Community Action Team for Veterans' Service.
- (A7) Rental Agreement between Columbia County Parks Department and Terry L. & Davis W. Dawley for Camp Wilkerson (**Subject to County Counsel Review**).
- (A8) Ratify Commissioner Bernhard's signature on the FY 2008 Cultural Participation Grant Program form.
- (A9) Amendment #1 to the Intergovernmental Agreement #1564 with the Oregon Department of Revenue.
- (A10) Approve Amendment of Lease with Portland General Electric for Prescott Beach and authorize the Chair to sign.
- (A11) Intergovernmental Cooperative Agreement between the Rainier School District No. 13 and the Columbia County Sheriff's Office.
- (A12) Approve Annual Renewal of Workers Compensation Insurance Coverage through SAIF Corporation.
- (A13) Approve Annual Renewal of Property & Liability Insurance with City/County Insurance Services.
- (A14) Approve Annual Renewal of Docks & Piers Policy with Gemini Insurance Company.
- (A15) Approve Annual Renewal of Flood Policies through the National Flood Insurance Program.
- (A16) Ratify approval of the Juvenile Accountability Block Grant Application.
- (A17) Amendment #61 to the 2005-2007 Intergovernmental Agreement #113022 with DHS.

- (A18) Amendment #62 to the 2005-2007 Intergovernmental Agreement #113022 with DHS.
- (A19) Ratify Amendment No. 1 to Personal Services Contract with EnviroLogic Resources, Inc.
- (A20) Ratify Public Road Event Permit for Cycle Oregon's "The Weekend" Event, June 22 - 24, 2007.
- (A21) Approve the Contract for Boating Safety and Law Enforcement Services with the Oregon State Marine Board.
- (A22) Amendment to the IGA between the Oregon Commission on Children & Families and Columbia County for Medicaid Administrative funds and a Carry Over Request.
- (A23) Memorandum of Understanding between Columbia County Commission on Children & Families; County Juvenile Department; and Columbia County.
- (A24) Juvenile Crime Prevention Basic Services and Diversion Services Intergovernmental Agreement #10770 with the Oregon Youth Authority.
- (A25) Contract Amendment for 2005-2007 Contract between Community Action Team and Columbia County for Healthy Start program.
- (A26) Intergovernmental Agreement with the City of Clatskanie for Data Sharing.
- (A27) Contract with CCMH for Outpatient Treatment and Residential Treatment Services for CCCCFC Clients.
- (A28) Amendment #3 to the 2005-2007 Personal Services Contract with Community Action Term, Inc. for Healthy Start.

The motion carried unanimously.

**REQUEST AUTHORIZATION TO ABATE NUISANCE ON OLD PORTLAND ROAD:**

Todd Dugdale and Robert Crain came before the Board to give an update on the Leland Ebert solid waste nuisance. As the Board will recall, On May 9, 2007 Order No. 104-2007 was adopted ordering Fred Brandenfels, property owner and Leland Ebert, the contract purchaser and resident of the property located at 56510 Old Portland Road, in Warren, to abate the nuisance consisting of the illegal accumulation of solid waste within 30 days by June 9, 2007. Robert visited the property on June 19, 2007 and determined that the nuisance on the property had not been abated as ordered. Pursuant to the Solid Waste Ordinance, staff is recommending that the next step be taken in the abatement process, which would be to direct the Solid Waste

Administrator to abate the nuisance by removal of the illegal accumulation of waste and assess charges as provided by ordinance.

Martin Brandenfels came into the office after the order was adopted, and while Mr. Ebert was in jail, and stated that he would begin cleanup of the property because of a family friendship. Martin began the cleanup, but when Mr. Ebert was released from jail, the work stopped. Robert noted that Fred Brandenfels was the previous owner and that is why his name appeared. He deeded the property to Mr. Ebert, however that paperwork was not dealt with properly. Robert presented the Board with photos of the property that he took yesterday. The only things removed from the property were things of any value to scrappers. Robert contacted Hudson garbage to remove the debris and they declined. The Road Department also declined. After making other contacts, Robert has only received interest from one company.

*Terry McGettigan, 56500 Old Portland Road*, is the property owner next door for 20 years. He is just looking for some relief from the unsightly mess. There has been a mess there for almost the entire 20 years in some sort or other. He never complained about it because it was Leland's property to do with as he wanted, but it has gotten out of control and it needs to be cleaned up.

After discussion, Commissioner Corsiglia moved and Commissioner Hyde seconded to direct the Solid Waste Administrator to abate the solid waste nuisance on property located at 56510 Old Portland Road, Warren, pursuant to Section 7.04 E thru J of the Solid Waste Ordinance". The motion carried unanimously.

#### **CONTRACT WITH THE OREGON YOUTH AUTHORITY:**

Sarah presented Contract #10794 with the Oregon Youth Authority for the Juvenile Department. She has not reviewed it yet but told Stan she would present it to the Board for action. With that, Commissioner Hyde moved and Commissioner Corsiglia seconded to approve the Intergovernmental Agreement #10794 with the Oregon Youth Authority, subject to review by County Counsel. The motion carried unanimously.

#### **INTRODUCTION OF NEW ASSISTANT COUNTY COUNSEL - SPENCER PARSONS:**

Sarah introduced Spence Parsons, the new Assistant County Counsel who started work on Monday.

#### **(2) REQUESTS TO USE THE PLAZA THIS SUMMER:**

The Board has received two requests to use the Plaza in August and normally, the Board directs Bill Potter to address these requests. Commissioner Corsiglia suggested that a standard form be drafted for the use of the Plaza to make it more uniform and consistent. Sarah will talk with Bill Potter about drafting a form. After discussion, the consensus was to send both requests to Bill Potter to deal with.

**COMMISSIONER BERNHARD COMMENTS:**

Commissioner Bernhard attended the Democratic Central Meeting held last night. There was a very good guest speaker from Portland and the meeting went very well.

On Tuesday, she attended Jim Gibson's retirement party at the Sheriff's Office. He will continue to serve the county as the security office at the courthouse.

Friday and Saturday, she was down in Salem for a training session for Commissioners sponsored by AOC. They deal with a variety of issues facing Oregon counties.

She attended the Commission on Children & Families meeting last Thursday and then went over to the "13 Nights on the River".

The Scappoose Community Club had a meeting Wednesday night to discuss the Sauerkraut festival and other upcoming events.

Last week, she attended a training at MTC regarding conflicts of interest, conflict resolution and communication. She felt it was a very good session and there were a variety of people from the community that took part in this training.

She also attended the City of St. Helens work session. The two items she was interested in was the Economic Development contract and the issue of sustainable tourism presented by RDI.

**COMMISSIONER HYDE COMMENTS:**

Commissioner Hyde was on vacation last week to attend his nieces wedding in California.

On his way to the airport, he stopped in Portland to attend the session with Senator Mitch McConnell - it was an extremely good meeting and feels the Senator walked away with a great deal more knowledge and understanding on what PL 106.393 means to us.

Last week, Commissioner Hyde was in Salem to met with ODOT Rail regarding easements around the rail and what they can and cannot do.

Commissioner Hyde talked about the dedication ceremony for L.L. "Stub" Stewart Park in Washington County coming up on July 7<sup>th</sup>. This is the first new state park in 35 years and a great addition to the Parks system.

**COMMISSIONER CORSIGLIA COMMENTS:**

Commissioner Corsiglia was on vacation last week in eastern Oregon. The first morning he ran into Mayor Randy Peterson at the campgrounds (small world). He also saw a retired fireman from St. Helens. While on vacation, he got to view a lot of park improvements and structures and will be doing some research on costs and other issues for Columbia County parks.

There was no Executive Session held.

*The Board recessed the meeting at 10:50 a.m. and reconvened on Friday, June 29, 2007 at 10:00 a.m. with all present.*

Commissioner Bernhard called the meeting back to order.

**DHS CONTRACT FOR 2007-2009/ AMENDMENTS/CONTRACT WITH CCMH:**

Sarah - In the last discussion dealing with Mental Health, the Board held off adding that dollar amount into the budget and agreed to start the process to terminate the contract with DHS and CCMH would contract directly with the State. However, in order to provide services past July 1<sup>st</sup>, the Board will need to sign the contract with the State. She noted that the contract contains a 3 month termination provision and the Board can give notice at any time. Therefore, Sarah would recommend that the Board approve the contract with DHS and both amendments to that contract, then give notice of intent to terminate at the same time. In addition to the contract with the State, the County also has a subcontract with Columbia Community Mental Health. She has prepared an amendment to the CCMH contract to extend the term of the contract to September 29, 2007, which corresponds with the DHS contract.

After discussion, Commissioner Corsiglia moved and Commissioner Hyde seconded to approve 2007-2009 IGA #119925 for the Financing of Mental Health, Developmental Disability and Addiction Services with the Department of Human Services (DHS) and authorize the Chair to sign. The motion carried unanimously.

Commissioner Hyde moved and Commissioner Corsiglia seconded to approve Amendment #1 to the 2007-2009 IGA #119925 for the Financing of Mental Health, Developmental Disability and Addiction Services with DHS and authorize the Chair to sign. The motion carried unanimously.

Commissioner Hyde moved and Commissioner Corsiglia seconded to approve Amendment #2 to the 2007-2009 IGA #119925 for the Financing of Mental Health, Developmental Disability and Addiction Services with DHS and authorize the Chair to sign. The motion carried unanimously.

Commissioner Hyde moved and Commissioner Corsiglia seconded to approve Amendment #15 to the agreement with Columbia Community Mental Health. The motion carried unanimously.

**RES. NO. 117-2007 - ADOPTION OF COUNTY BUDGET:**

Commissioner Hyde moved and Commissioner Corsiglia seconded to adopt Resolution No. 117-2007, "In the Matter of the Adoption of the Columbia County Budget for Fiscal Year 2007-2008 and the Appropriations and Levying of Ad Valorem Taxes". The motion carried unanimously.



**RES. NO. 118-2007 - TRANSFER APPROPRIATIONS WITHIN VARIOUS FUNDS:**

Ruth Baker briefly went over the adjustments for fiscal year ending June 30, 2007. After review, Commissioner Hyde moved and Commissioner Corsiglia seconded to approve Resolution No. 118-2007, "In the Matter of Transferring Appropriations within the Various Funds of the 2006-2007 Columbia County Budget". The motion carried unanimously.

**OFFICE MOVES:**

Lengthy discussion was held on the various departmental moves that have been discussed recently, the Surveyor's Office, County Counsel's office, General Services, etc. The Surveyor is ready and wanting to move down to the old extension area. Commissioner Corsiglia feels that more information needs to be collected before any major decisions are made. He is not opposed to any immediate moves that need to happen such as the supply room, however he feels that there are a number of ideas to look at before the moves take place. After discussion, it was decided to meet on this issue again at the July 10<sup>th</sup> work session. Bill Potter is still wanting to move the office supplies up to the second floor right away if possible so the existing room can be cleaned out and prepared for the remodel of his office. The Board agreed that.

**TRAFFIC SAFETY COMMITTEE APPOINTMENTS:**

Commissioner Corsiglia moved and Commissioner Hyde seconded to appoint Norm Miller as the Scappoose Police Department alternate and Terry Moss as the St. Helens Police Department alternate to the Traffic Safety Committee. The motion carried unanimously.

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

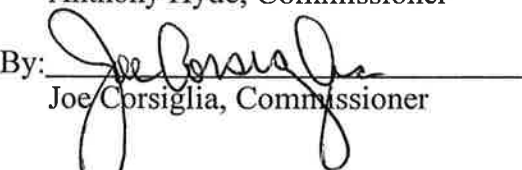
Dated at St. Helens, Oregon this 27<sup>th</sup> day of June, 2007.

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

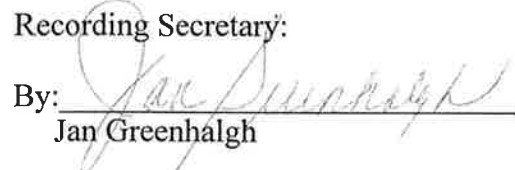
BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By:   
Rita Bernhard, Chair

By: \_\_\_\_\_  
Anthony Hyde, Commissioner

By:   
Joe Corsiglia, Commissioner

Recording Secretary:

By:   
Jan Greenhalgh