

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

August 8, 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 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 August 1, 2007 Staff meeting. The motion carried unanimously. The minutes of August 1, 2007 Board meeting were held over one week.

VISITOR COMMENTS:

Thelma Bonar, 56734 Way Lane, Warren & Tammy Maygra, 34319 Cannan Road, Deer Island: Both came before the Board to address the Board on a couple of issues. First is the Road Levy that was passed in 1996 and they asked if the Road Department is getting that \$500,000. Tammy stated that the \$500,000 was the two year levy, that became a permanent levy because of Measure 50, with a 3% increase. Commissioner Hyde stated that when the levy became permanent, it was no longer allowed to be given to the Road Department. However, the Board of Commissioners did not feel that was right so they dedicated that same amount of revenue (prior to M50) to the Road Department from O&C funds. That money is conveyed to the Road Department every year and has been since M50 passed.

Another issue is the Depletion Fee - Thelma and Tammy looked into the history of the Depletion Fee ordinance which was approved by the Board in 1996. The Board, at that time, unanimously approved the ordinance and the language was clear. Thelma is not sure why there needs to be a new interpretation. Commissioner Bernhard stated that she was not a Commissioner at that time, but worked in the County Counsel's office and probably typed it. John Knight wrote the ordinance and Commissioner Bernhard is aware of what the prior Board's intent was. This has been discussed a number of times and clearly Thelma disagrees, however, Commissioner Bernhard agrees with the way the county has been interpreting this ordinance since its inception. Tammy feels the point to be made here is that a prior Board adopted this ordinance, agreed with the language and took it to the voters. The Commissioner's should carry out what the voters wanted. Commissioner Bernhard reminded them that the original Board members who brought this to the voters, and all Board's since then, have interpreted the ordinance in the same manner.

The next issue is the County's agreement with the Public Health District. The County Counsel had demanded a copy of Public Health's budget and audit. These have still not been submitted to the County. Commissioner Bernhard stated that the policy is that Public Health submits that information to County Counsel's office, are given a receipt and the information is filed in the Clerk's office. Thelma stated that nothing has been turned in and Ruth Baker had to call Public

Health and demand a copy of the audit. After discussion, the Board felt that was something they need to followup on because that information is required to be submitted to the County.

The last issue is the health district budget. Public Health is transferring money collected out of the \$.38 received from their ballot measure for a Critical Care Access Hospital and putting it into Public Health. Commissioner Hyde explained that the County is not the enforcement agency of this type of action. This is not a county issue, it is an issue for the State Attorney's office and if this is true, he suggested that Tammy and Thelma get a hold of the State. Commissioner Bernhard suggested that they start attending the Public Health Board meetings and convey their concerns to them. They are a special district with a separately elected Board that is responsible for running their own agency.

HEARING: BEAVER VALLEY GARDEN MAP AMENDMENT & ZONE CHANGE:

This is the time set for the public hearing, "In the Matter of the Application of Beaver Valley's Back Yard Garden Products, Inc., for a Major Map Amendment and Zone Change from Community Service - Recreation (CS-R) to Primary Forest (PF-76)".

Spencer stated that this hearing is being held on the record of the Planning Commission unless the Board decides to open the hearing for new testimony. The Board declared no exparte contact or conflicts of interest. Spencer then read the pre-hearing statement into the record as required by ORS 197.763. Spencer entered County Counsel's hearing file into the record, marked Exhibit "1", and noted all contents.

Jason Graichen, Planner III, came before the Board to give the staff report. The applicant has applied for a Major Map Amendment and Zone Change to change approximately 3 acres of a subject property designated CS-R to PF-76. The property totals approximately 83.31 acres and all but the three acres is already zoned PF-76. The 3 acre site is developed with an existing building that was occupied by an indoor recreation/soccer facility. That operation has since gone out of business. The land owner wants to lease the site to a company that bags cedar mulch and chip products and ships those products. This is not allowed under current zoning, but may be allowed under PF-76 zoning, given obtainment of a Conditional Use Permit and Design Review. The Planning Commission held a public hearing on the matter on June 18, 2007 and recommended approval with no conditions. No comments in opposition were received. Based on the criteria, staff recommends approval.

The hearing was opened for public testimony.

PROPONENTS:

Ty Wyman: He is the attorney for the applicant, who was unable to be here today. However, Mr. Wyman wanted to state that he agrees with the staff report as well as the recommendation of approval from the Planning Commission. The application seems to be complete and he would take any questions the Board may have.

With no further testimony coming before the Board, the hearing was closed for deliberations. After very little discussion, Commissioner Hyde moved and Commissioner Corsiglia seconded to tentatively approve the Application of Beaver Valley's Back Yard Garden Products, Inc., for a Major Map Amendment and Zone Change from Community Service - Recreation (CS-R) to Primary Forest (PF-76)". The motion carried unanimously.

Spencer noted that because this is a plan amendment, he will need to prepare an Ordinance for final approval.

CONSENT AGENDA:

Commissioner Bernhard read the consent agenda in full. After some changes to the agenda, Commissioner Hyde moved and Commissioner Corsiglia seconded to approve the consent agenda as amended:

- (A) Ratify the Select-to-Pay for 8/7/07.
- (B) Ratify Partition Plat for Clatskanie Woods Phase 2 and Phase 4.
- (C) Cancel the August 14, 2007 Work Session.
- (D) Reappoint Paul Pulliam to the Northwest Oregon Economic Alliance Board, **term to expire March 31, 2008.**
- (E) **Accept** the Columbia County Cultural Coalition By-Laws, **subject to County Counsel review.**

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (G) FY 2007-2008 Work Plan and Proposed Budget between USDA, APHIS, Wildlife Service and Columbia County.
- (H) Approve Memorandum of Understanding with Bryan and Roberta Luper – property exchange, C-Z Trail
- (I) Approve Construction Contract with Bourke Construction for Family Resource Center, **subject to County Counsel review.**
- (J) Approve Intergovernmental Agreement Contract #1803 with the Department of Revenue ORMAP and authorize Chair to sign.

The motion carried unanimously.

COMMISSIONER BERNHARD COMMENTS:

Commissioner Bernhard attended the Vernonia Jamboree on Saturday and then headed to the Black Tie/Blue Jean fund-raising event. A goat was auctioned off for over \$8,100 and a cat for over \$700. It appeared to be a great success and they received enough money to fund two full scholarships.

On Sunday, she was in Clatskanie at their Blue Grass festival.

Tonight, the Board will be heading to Roseburg to attend a meeting with BLM tomorrow on timber revenues.

COMMISSIONER HYDE COMMENTS:

Commissioner Hyde attended a meeting last week with Northwest Natural Gas. They are almost at capacity for storage and the only way to increase their capacity for storage is to increase Miller station. One positive thing is that when they were doing their observation, they discovered more gas from another well. This is good for everyone.

On Friday, he attended the COLPAC/NOEA meeting in Cornelius.

He spent a lot of time at the Vernonia Jamboree over the weekend and the logging show on Sunday. It was probably the biggest crowd ever. He found out that the producers for the "Deadliest Catch" is moving from crabs to logs. They will be filming logging operations over the next year throughout Columbia and Clatsop counties. The show is slated to air in the fall of 2008.

Commissioner Hyde commented on the importance of the O&C meeting being held tomorrow in Roseburg which will set the tone for getting the timber harvest back to a level that would be sustainable, as well as creating revenue for the O&C counties.

COMMISSIONER CORSIGLIA COMMENTS:

Commissioner Corsiglia spent 4 days in Vernonia enjoying their festival. He has noticed that over the last 8-10 years, Vernonia's downtown area has really improved and storefronts are filling up.

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

The Board recessed the regular session to go into Executive Session as allowed under ORS 192.660(2)(h). Upon coming out of Executive Session, Commissioner Hyde moved and Commissioner Corsiglia seconded to take original jurisdiction over the Edney appeal, MP 07-33. The motion carried unanimously.

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

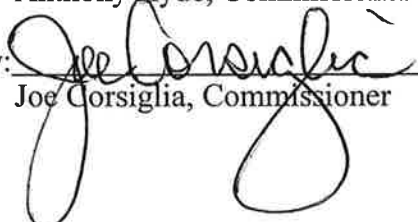
Dated at St. Helens, Oregon this 8th day of August, 2007.

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

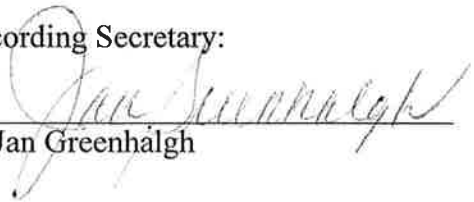
BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Rita Bernhard, Chair

By: 
Anthony Hyde, Commissioner

By: 
Joe Corsiglia, Commissioner

Recording Secretary:

By: 
Jan Greenhalgh