

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

January 16, 2008

The Columbia County Board of Commissioners met in scheduled session with Commissioner Anthony Hyde, Commissioner Joe Corsiglia and Commissioner Rita Bernhard, together with Sarah Hanson, County Counsel and Jan Greenhalgh, Board Secretary.

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

MINUTES:

Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve the minutes of the December 16, 2007 Board meeting; January 7, 2008 Board meeting; January 8, 2008 Work Session and January 9, 2008 Staff meeting. The motion carried unanimously.

VISITOR COMMENTS:

Jeff VanNatta, 24251 VanNatta Road, Rainier, approached the Board regarding a Public Records Request he filed with the County in October. It consists of about 840 copies and, on the form it states that it forbids photographing these documents. He is asking that the Board reconsider that because the cost is estimated to be over \$600. If he was allowed to copy them himself, it would cost him and the County much less.

Stephanie Klepel, 34067 Sykes Road, St. Helens: After the last Commissioner meeting she attended, she thought about the discussion and

feels we would all work better if we worked together. With that, she submitted her application for the Fair Board. Secondly, she invited Commissioner Bernhard to be an honorary member of the group "These People" and gave her a T-Shirt.

Tammy Maygra, 34319 Cannan Road, Deer Island: She had some questions on economic development. Back when economic development worked in conjunction with Clatsop County on the Wauna Mill for expanding their mill, the mill had to meet certain Enterprise Zone requirements. They have not met that agreement regarding their labor force and now owes the County. She asked how much money the County will be receiving. Commissioner Hyde stated that is yet to be determined because they are still negotiating with Clatsop County, however, in total it is about \$1.8 million. Those monies will be distributed between the districts within the Enterprise Zone. Tammy then asked how much the County put into this. Commissioner Hyde explained that the Enterprise Zone is a tax abatement and, if the requirements are met, then the taxes come back to the districts.

APPLICATIONS FOR CDBG EMERGENCY PROJECTS FUNDING:

Beverly Danner, CAT, came before the Board about the emergency projects funding that is available through OECD. They are very interested in helping this region to overcome some of the effects of the recent disaster. In order to apply for this funding, CAT needs to partner with the County.

OECD is currently working with HUD on an amendment to the current 2008 mod, which would allow the County to apply for 2 emergency projects funding grants. The maximum amount on each of those is \$500,000. With the extent of the damage in Columbia County, OECD feels it merits two applications. Bev is asking for the Board's approval to allow her to move forward in working with the State on these applications.

The Board totally supports this and, with that, Commissioner Bernhard moved and Commissioner Corsiglia seconded to move to authorize CAT to

go forward with two CDBG Emergency Projects Funding applications for 1) for the unmet needs that currently exist and are being identified for the Presidentially declared disaster; and 2) for long term recovery specific to the Hazard Mitigation Grant Program. The motion carried unanimously.

While present, Bev referred to Item (F) on the consent agenda, the CDBG 2008 Regional Housing Rehabilitation Application. Columbia County will not be the applicant this time. She will be working with the City of Astoria on the regional application, however, Columbia County will be included as part of the region so she would ask that it be approved. The Board will approve this under the consent agenda.

PUBLIC HEARING: ADOPTING COLUMBIA COUNTY KENNEL ORDINANCE:

This is the time set for the continuation of the public hearing, "In the Matter of Adopting the Columbia County Kennel Ordinance".

Spencer stated that Roger and Todd held a public meeting with interested persons on October 23, 2007. They took input and the new draft ordinance is now before the Board to review. Spencer noted that substantive requirements imposed on the kennels and that the language is taken directly from the OAR's.

Todd Dugdale and Roger Kadell were present to give a staff report. This is the second public hearing on this ordinance. At the last hearing, on August 1, 2007, it was determined that additional input from the public should be considered. A meeting was held with those interested and changes were made to the ordinance. Todd reviewed the ordinance, as revised.

The hearing was opened for public testimony.

Barbara Aulbach, 27428 Gibb Road, Scappoose: She owns Callahan Kennels, which is a boarding kennel and she also raises and shows dogs. Most of this ordinance is agreeable to her, however, she has a problem with Section 10 - Additional Requirements (2). She feels the government is poking its nose into private business. She doesn't agree that she should have to keep a record of each sale or transfer, medications, etc. for a full year. If she had a litter of cats, this would not be included in her duties. She noted that she does do these things, but does not feel it belongs in this ordinance. It is not the job of the Animal Control Officer to inspect these records.

Spencer stated that this ordinance is not requiring anything more than what the statutes require. Both the medical records and shots language were lifted straight from the OAR. Commissioner Hyde suggested that, instead of the current language in the ordinance, simply refer to the OAR. Spencer would agree with that and would recommend it.

Commissioner Corsiglia spoke to the issue brought up about "reputable dealers". Originally, he understood this ordinance as a way to enforce the requirements and weed out the "unreputable dealers". Barbara stated that the unreputable people will operate anyway and won't be effected by this ordinance because they will be underground.

Cheryl Anderson, 33180 Scappoose-Vernonia Hwy, Scappoose: She is currently a non-commercial kennel owner. She presented a handout to the Board. She asked which Board members were present at the October

2007 meeting with the public and Animal Control. No Board members were present. Cheryl stated that after that meeting, everyone walked away with a workable ordinance and changes were to be made based on verbal agreements. Now, it is worse than the original. This is now a defacto business license which is discrimination because no other business in the county has to be licensed. It is also a ban on breeding. If someone doesn't have a commercial kennel license, they are no longer allowed to breed anything in this county. This ordinance doesn't just cover dogs, it covers ALL animals in this county because of the word "animal" is used throughout the ordinance. Also, there would now be a 9 dog limit in this county, or you would have to comply with all land use regulations. This ordinance bans all breeding. In 2005, there were a great number of changes to the OAR's that effected animal ownership. Cheryl would suggest that the Board not adopt this ordinance in its present form but rather form a task force to allow the interested parties to draft an ordinance that works for everyone.

Lynn Tweedt-Rabinowe, 34201 Big Meadow Lane, Deer Island: She is here to echo the comments made by the two ladies that spoke. She is a commercial kennel operator and a hobby operator. This has been going on for two years and there still isn't a resolution. She agrees with the comments regarding a Task Force and is willing to participate in that. There needs to be a practical way to handle this that works for everyone.

Commissioner Hyde totally agrees with forming a task force for a couple of reasons. If a task force is formed, they could also look at legislative issues. They could also consider recommendations to the Board about the appointment of a Governing Board for Kennels, as opposed to the Board of Commissioners having the oversight. Commissioner Corsiglia agrees and

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felt the Board should meet with this committee at some point to determine their direction.

Cheryl Anderson handed the Board three more submittals, which include sections of the OAR's dealing with kennel licensing.

Tammy Maygra, 34319 Cannan Road, Deer Island: A couple of questions. Section 1(a) definition - "animal" is very broad and should be clarified. Further, if there are already State laws, why do we need a county ordinance.

Suzanne Lemire, 33596 Elladonah, St. Helens: Just for clarification, Suzanne asked if Section 10 (a)(2) is also part of the State OAR's. Spencer stated it is. On another issue, Suzanne stated that a number of people here have had licenses for years. At the meeting in October, it was agreed that people who have had licenses in Columbia County for years, would be grandfathered in, however she doesn't see that addressed in this ordinance.

Ronald R. Ramsey, PO Box 483, St. Helens: At the first hearing on the ordinance, the Board took names to form a steering committee. He attended that steering committee meeting and this new ordinance was crammed down their throat with no comments what so ever. This draft ordinance is not even what they talked about. The worst thing in this ordinance is the word "animal" and not "dog". He has three pet horses. According to this ordinance, if he breeds one of his horses, he then has a kennel. The word animal needs to be removed and replaced with "dog".

With no further testimony coming before the Board, the hearing was closed for deliberation. Commissioner Corsiglia just checked his calendar and

noted that the Board was attending the TOPOFF exercise at the time of the October kennel meeting. Commissioner Hyde polled the audience for those interested in participating on a Task Force. With the response received, he would suggest that a Kennel Ordinance Task Force be formalize next week. After discussion, Commissioner Bernhard moved and Commissioner Corsiglia seconded to table this ordinance pending further review. The motion carried unanimously.

CONSENT AGENDA:

Commissioner Hyde 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 1/15/08.
- (B) Ratify Order No. 4-2008, "In the Matter of Declaring an Emergency and Awarding a Public Contract for Emergency Construction and Repair Work".
- (C) Order No. 5-2008, "In the Matter of Amending the Policy Governing the Issuance of Temporary Travel Permits to Persons Supervised by the Department of Community Corrections".
- (D) 2008 Social Gaming License for the St. Helens Moose Lodge #591.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (E) Ratify Public Improvement Contract with Road Builders, Inc. for Road Construction and Road Repair Services.
- (F) Approval to submit the CDBG 2008 Regional Housing Rehabilitation Application.
- (G) Amendment #8 to the 2007-2009 Intergovernmental Agreement #11925 for the Financing of Mental Health, Developmental Disability and Addiction Services Agreement with DHS and authorize the Chair to sign.
- (H) Amendment #9 to the 2007-2009 Intergovernmental Agreement #119925 for the Financing of Mental Health, Developmental Disability and Addiction Services Agreement with DHS and authorize the Chair to sign.
- (I) Amendment #10 to the 2007-2009 Intergovernmental Agreement #119925 for the Financing of Mental Health, Developmental Disability and Addiction Services Agreement with DHS and authorize the Chair to sign.

- (J) *Amendment #11 to the 2007-2009 Intergovernmental Agreement #119925 for the Financing of Mental Health, Developmental Disability and Addiction Services Agreement with DHS and authorize the Chair to sign.*
- (K) *Amendment #12 to the 2007-2009 Intergovernmental Agreement #119925 for the Financing of Mental Health, Developmental Disability and Addiction Services Agreement with DHS and authorize the Chair to sign.*
- (L) *Amendment #13 to the 2007-2009 Intergovernmental Agreement #119925 for the Financing of Mental Health, Developmental Disability and Addiction Services Agreement with DHS and authorize the Chair to sign.*
- (M) *Amendment No. 17 to the Agreement between Columbia County and Columbia Community Mental Health, Inc. to extend the date.*

- (N) *Intergovernmental Agreement for Equipment and Services for public works construction, operations, maintenance and related activities and authorize the Chair to sign.*

- (O) *Public Services Contract between Columbia County and Stericycle, Inc.*

The motion carried unanimously.

COMMISSIONER HYDE COMMENTS:

Last Wednesday, Commissioner Hyde attended a Recovery Cabinet meeting. These meetings will now be held every other Thursday.

He also attended the OECD Board meeting last Thursday and Friday and reported on that discussion.

On Monday, he was in Salem testifying on what went right and what went wrong with the recent disaster and proposed legislation.

Tomorrow, Senator Smith will be touring damaged areas in the county.

COMMISSIONER CORSIGLIA COMMENTS:

On Friday, Commissioner Corsiglia attended an LGAC meeting in Salem. They discussed how DHS responded during the recent flood events and how it could be more coordinated in the future. They will be testifying before the legislature and will convey comments from the meeting to the

legislature. He felt this was one of the best meetings he has attended so far.

COMMISSIONER BERNHARD COMMENTS:

Commissioner Bernhard attended the joint Parks/Fair meeting. A lot of discussion was held on the Asbury property and moving forward to get it developed. She looks for good things to happen.

She attended the United Way meeting the other night. They have been working a lot with flood victims.

She attended the AOC Human Services meeting in Salem on Friday. They talked about storm recovery and public health and mental health issues.

On Monday, she was in Salem and testified before the legislature regarding flood/slide issues. There was a lot of good information given.

Commissioner Bernhard requested that the Board reappoint her to the NOHA Board because her term has expired. With that, Commissioner Corsiglia moved and Commissioner Hyde seconded to reappoint Commissioner Rita Bernhard to the NOHA Board. The motion carried unanimously.

Commissioner Hyde wanted to note that there have been two catastrophic events in Columbia County. The flood event and the other is that the legislature adjourned without re-authorizing the Rural Schools Funding.

Philip Barlow, Vernonia Road, St. Helens: Philip informed the Board that, in February, the City of St. Helens will be getting a report on the URA and he will keep this Board informed on that. Secondly, the City of St. Helens Council is meeting on February 1, 2008 for discussion on a clustering concept. Philip asked if one of the Board members would like to attend.

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

The Board recessed the regular session to go into Executive Session as allowed under ORS 192.660(2)0000(h). Upon coming out of Executive Session, no action was taken by the Board.

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Dated at St. Helens, Oregon this 16th day of January, 2008.

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: _____

Anthony Hyde, Chair

By: _____

Joe Corsiglia, Commissioner

Recording Secretary:

By: _____

By: _____

Rita Bernhard, Commissioner

Jan Greenhalgh