

COLUMBIA COUNTY BOARD OF COMMISSIONERS  
BOARD MEETING

MINUTES

April 16, 2008

The Columbia County Board of Commissioners met in scheduled session with Commissioner Joe Corsiglia and Commissioner Rita Bernhard, together with Spencer Parsons, Assistant County Counsel and Jan Greenhalgh, Board Secretary. Commissioner Hyde was attending a meeting in Portland and not present.

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

**MINUTES:**

Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve the minutes of the April 8, 2008 Work Session and April 9, 2008 Board meeting. The motion carried unanimously.

**REPORT ON "EMPTY BOWLS" EVENT:**

Jan Kenna, CCCC Director, came before the Board along with Susan Conn, and Joan Cisneros, Empty Bowls Event Coordinators. Susan stated that, on March 28, 2008, the second annual Empty Bowls event was held at the St. Helens Senior Center to benefit the Columbia Pacific Food Bank. This year's event was even more successful than last year. Tickets were sold for \$10, with a simple meal being served to guests, who were invited to keep the bowl as a reminder that there are always empty bowls in the world. About 175 people attended. The location was offered free of charge and five restaurants donated soup - the Dockside, the Klondike, Mark's on the Channel, the Redline and Wild Currant Catering. Bread and butter were supplied by Houlton Bakery and coffee was donated by our local Starbucks.

Nina Randolph and Larry Munson provided music. The total raised was \$3,939, compared to \$2,360 last year. A check will be presented to the Columbia Pacific Food Bank to be used to help alleviate hunger in Columbia County. The event coordinators want to thank everyone who donated time, goods and space to make this a successful event.

Jan wanted to thank Susan, who brought this project to Columbia County and Jean who will be very involved in next years event.

Commissioner Corsiglia attended this event and was very impressed with the turnout and the peoples willingness to give during these tough times.

#### VISITOR COMMENTS:

*Tammy Maygra, Deer Island and Thelma Bonar, Warren:* Both were present to address issues with the Health District. Thelma referred to ORS 440.305 and 440.310 that govern the health district. It is her opinion that when the previous health district was abolished, those board members should have been abolished also and a new board elected, but that didn't happen. When the new district was established, the boundaries got bigger and put us more into public health, Tammy clarified that was when they did the name change. Under ORS 198.010 is a district defined for the chapter. A health district organized under ORS 440.305 thru ORS 440-310 states that the district may change it's name given in the formation order of the county board under ORS 198-810 or from the name for which is was otherwise incorporated. The hospital board did not follow the ORS when they initiated the name change of the Columbia Hospital District to the Columbia Health District in 1984. The Board failed to publish notice in local newspapers before the Board adopted the new name and the Board failed to hold public hearings, so the voters in the district were not given opportunity to make public comments on this decision.

Because time is limited in this forum, the Board suggested that Tammy and Thelma put together a packet of information outlining there concerns and get that to the Board for review.

*Georgia Keiper, 33403 Sykes Road, St. Helens:* She brought a petition to the Board a couple of weeks ago requesting that she be withdrawn from the Health District. She received a response from the County Clerk that stated Georgia needed to acquire a certain amount of signatures before that petition could be considered. Georgia called the State and was informed that she did everything right and will get that woman's name and number to county counsel to confirm. Georgia had asked for a response from the Board, but hasn't received that yet and this is not over.

*Joe Crisp, 34571 Millard Road, Warren:* He feels there is a problem with the public records process in this county. He had requested prior minutes from a Fair Board meeting and was told he would need to make a public request through County Counsel's office to obtain them. He was also told that he couldn't get

*BOC Meeting*

*4/16/08*

*Page 3*

them until they were approved. Someone needs to inform the Attorney General of this fact because that is not what it says in his manual. The Board has stated that they do not have any authority over the Fair Board, so does that also apply to the public records law.

Commissioner Bernhard stated that this Board had been informed some time ago, that minutes are not final until approved and signed. However, she sees no reason someone couldn't obtain a copy of draft minutes.

Commissioner Corsiglia explained that the County has jurisdiction over the Fair Board, but in a different way and is outlined in the ORS's that governs Fair Boards. The manager of the Fair is subject to the hiring and firing and desires of the Fair Board. This Board does not have direct oversight of the Fair Administrator. Some discussion was held on the Fair's budget and where those revenues come from. However, the Fair Board is not exempt from public records disclosure. Spencer stated that minutes are not "final" until adopted and signed, however draft minutes are still public record. After discussion, Spencer was directed to follow up on this with the Fair Administrator.

*Kathleen Worman, Warren:* She was going to speak about the purchase of transit buses listed on the consent agenda, however, she spoke with Janet Wright before the meeting and was assured these buses are in good working order.

*Tammy Maygra* - She finds it disheartening that when a member of the public brings information to the Board with concerns or suggestions, that something isn't done about it. It is the responsibility of the Board and County Counsel to do their homework and make an effort to address those issues in a timely manner. Commissioner Bernhard believes Tammy is referencing the health district issues and feels it is somewhat unfair to say that the Board has not addressed the issues and concerns. The Board depends on County Counsel for legal advice and, although there may be a difference of opinions, the concerns have been addressed. Commissioner Corsiglia suggested Tammy bring in her information and meet with him to identify her concerns and get some short term answers.

**HEARING: HEMEON APPLICATION FOR MODIFICATION OF MP 07-20:**

This is the time set for the public hearing "In the Matter of an Application by

*BOC Meeting*

*4/16/08*

*Page 4*

Forrest & Geraldine Hemeon and Nathan & Leslie Woodward to Modify Condition 2 (B)(ii) of Final Board Order 119-2007 on Minor Partition MP 07-20 in the PA-38 Zone".

As the first order of business, the Board declared no ex parte contacts or conflicts of interest. Spencer then read the pre-hearing statement into the record as required by ORS 197.363 and listed all criteria that apply to this application. He entered County Counsel's hearing file into the record, marked Exhibit "1" and listed all contents. Spencer

Glen Higgins, Chief Planner, came before the Board to give the staff report. The applicants are requesting a modification of an approved partition, from a 3 parcel partition to a 2 parcel partition, that would create one 25.26 acre parcel and one 6.07 acre parcel. The partition of the property into parcels which are smaller than the 80 acre minimum lot sizes in the PA-38 zoning is allowable under an approved Measure 37 waiver, previously approved by the Board. The applicants are also requesting a modification of road standards in previous Board Order #119-2007, specifically 2(B)(ii), that required the applicants to improve the Wallace Road Extension to private road standards. Further, a modification to require only that two turnouts be installed on the existing 14 foot wide travel service of the Wallace Road Extension. The issue is the standards of construction of this newly created public road. They want to build a turn-out and a turn-around at the end to be in conformance with Real Fire Access Code. Because the applicant failed to appeal the conditions in Order #119-2008, they are the second recourse of requesting modification of the whole partition. Glen understands that the partition was granted under Measure 37 and the property could not be split up again.

Commissioner Corsiglia asked that because the original application was to create three parcels, that triggered the need for the private road improvements, however, since the application is now for only two parcels, does that have the same need for the upgrade in the road?

Lonny Welter, Transportation Planner, answered that it possibly could, however, there are a couple of issues not clear on this particular slide. Using the overhead, Lonny explained that there is currently a dwelling - the existing house - and another dwelling, so that qualifies as two residences. There is also another

*BOC Meeting*

*4/16/08*

*Page 5*

dwelling down below that is using the driveway, which qualifies as a third dwelling, utilizing the same road. The county standards state that for private roads, a 12-ft wide improved travel surface for one to two lots; a 20-ft wide improved travel surface for three to six lots with 4' clear zones on both sides of the travel surface.

Glen Higgins stated that staff recommends that the Board approve the modification of prior approval of MP 07-20 with the five new conditions listed in the staff report. Staff findings/conditions support the modification of the partition reducing new lots to be created from 3 to 2, but do not support the proposed road standard modification. The Road Department has recommended against further modification of the road standards in order to accept the current 14 foot improvement to Wallace Road Extension with two new turnouts.

The hearing was opened for public testimony.

**PROPONENTS:**

***Nathan and Leslie Woodward, 14050 Wallace Road, Mist:*** They are present to speak for the applicants Forrest and Geraldine Hemeon. They had a misunderstanding on what they had agreed to so that is why Nathan is here today. There are two existing home sites on the property and the reason for the M37 claim was to make them legal. Nathan pointed out that Wallace Road is not a full public road or county owned. The county doesn't own the bridge, they only have an easement across it. The wildlife habitat and the farming is key points. By having to widen the road, it takes away farm land and that's a concern for them. He understands the need to widen the road for future development, however, everyone around there is family and they don't want to see it developed nor is there even an option for that. The M37 claim was their one and only chance to divide up the property. Nathan stated that the existing road is a good road and they do the major part of maintenance on it. There are already turnouts all along the road. It doesn't make sense to him to go from a 14 foot road to 20 feet. To keep it consistent with the rest of the road, a turnout and a place for the public to turn around at the end of the road, would be sufficient. There is no option for future development, this is a dead end road and can't be accessed from any other route.

Nathan asked that the Board take this under consideration when making their decision.

*BOC Meeting*

*4/16/08*

*Page 6*

Commissioner Bernhard asked Spencer if the family were to sell the property, could someone else divide up the property. Spencer stated that this partition is only being allowed because of the approved M37 claim, and no further partitions would be allowed.

**OPPONENTS:**

None.

With no further testimony coming before the Board, the hearing was closed for deliberations. Commissioner Bernhard has no issue with reducing the number of lots from 3 to 2, however, she is struggling with the road modification part of this. Commissioner Corsiglia feels that staff has followed the process and made their recommendation, however in this case, he can see where a road modification would be reasonable.

After discussion with staff and some clarification on the road width and clear zone issues, Commissioner Bernhard moved and Commissioner Corsiglia seconded to tentatively approve the modification of Road Standards to require the applicant to dedicate Wallace Road extension to the public as a public road, construct the road to private road standards for 2 lots and require fire officials to approve placement of the fence, along with other conditions recommended by staff, and direct County Counsel to prepare the final order. The motion carried unanimously.

**CONSENT AGENDA:**

Commissioner Corsiglia read the consent agenda in full. With no changes/additions/deletions, Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve the consent agenda as follows:

- (A) Ratify the Select-to-Pay for 4/15/08.
- (B) Approve the purchase of two buses from Salem Area Mass Transit for \$1.00 each.
- (C) 2008 Liquor License for K.R. Family Catering.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (D) GIS Data License Agreement with GeoJet Information Solutions.
- (E) Interagency Agreement between The Unified Certification Program Partners and the Department of Consumer and Business Services for administering the Disadvantaged Business Enterprise Unified Certification Function.
- (F) Amendment #23 to the 2007-2009 Intergovernmental Agreement #119925 with DHS.
- (G) Amendment #24 to the 2007-2009 Intergovernmental Agreement #119925 with DHS.
- (H) Amendment #25 to the 2007-2009 Intergovernmental Agreement #119925 with DHS.
- (I) Amendment #26 to the 2007-2009 Intergovernmental Agreement #119925 with DHS.
- (J) Amendment #1 to the Personal Services Contract with Community Action Team Inc., for Kid Care.
- (K) Amended Memorandum of Understanding with Bryan and Robert Luper concerning the boundary dispute along the C-Z Trail.

The motion carried unanimously.

COMMISSIONER HYDE COMMENTS:

Not present.

COMMISSIONER CORSIGLIA COMMENTS:

Over the weekend, Commissioner Corsiglia worked on a economic development proposal at the airport in Vernonia, which should be good for the community and promote

business.

The Board received a late notification from the Governor's office, proclaiming the week of April 13-19 as 2008 Emergency Tele-Communicators Week.

**COMMISSIONER BERNHARD COMMENTS:**

On Wednesday, Commissioner Bernhard participated in a Tax Policy Committee meeting by conference call with AOC. They are looking at different proposals for collecting taxes in Oregon.

On Thursday, she attended the Oregon Youth Conservation gathering in St. Helens where the Youth Corps gave a presentation on their projects. This is an alternative school program with some great success stories.

Thursday evening, she attended the United Way meeting. They continue to struggle with funding since the flood.

She was in Salem on Friday attending an AOC Human Services meeting. The group wants to keep certain funding with CCCCCF rather than giving it to the Juvenile Departments.

On Friday night, she attended the United Way dinner at the Senior Center to honor their volunteers.

Saturday, she attended the Rock the Road concert at the Fairgrounds. This was a fundraiser for the Taija Belwood Foundation. There was a very good turnout and everyone seemed to enjoy themselves.

Monday, she was in Vernonia for a School Based Health Clinic meeting.

She attended the Fair Board meeting on Monday night. They had lot on their agenda and she is seeing a lot of attempts to work better with the public and volunteers. This Board seems to be going in the right direction.

On Tuesday, she attended the North Coast RC&D meeting.

On Tuesday evening she attended the Parks meeting. They talked about the day-use



fees at county parks and are looking at ways to make the parks more user friendly.

There was no Executive Session held.

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

Dated at St. Helens, Oregon this 16<sup>th</sup> day of April, 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:                     *Not Present*                    

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*Anthony Hyde, Chair*

By: \_\_\_\_\_

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*Joe Corsiglia, Commissioner*

*Recording Secretary:*

By: \_\_\_\_\_

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By: \_\_\_\_\_

*Rita Bernhard, Commissioner*

*Jan Greenhalgh*