

COLUMBIA COUNTY BOARD OF COMMISSIONERS  
BOARD MEETING

MINUTES

August 26, 2009

The Columbia County Board of Commissioners met in scheduled session with Commissioner Rita Bernhard, Commissioner Anthony Hyde and Commissioner Earl Fisher, together with Spencer Parsons, Assistant County Counsel and Kathleen Grant, acting Board Secretary.

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

MINUTES:

Commissioner Hyde moved and Commissioner Fisher seconded to approve the minutes of the August 19, 2009 Board meeting. The motion carried unanimously.

VISITOR COMMENTS:

None.

HEARING: UPDATE COUNTY'S 20 YEAR POPULATION FORECAST:

This is the time set for the public hearing, "In the Matter of an Application of Columbia County for a Text Amendment to Revise Portions of Part IX (Urbanization) and Part X (Economy) of the Comprehensive Plan to Update the County's 20 Year Coordinated Population Forecast".

Spencer explained that this hearing to consider proposed amendments to parts IX and X of the Columbia County Comprehensive Plan. These proposed amendments were initiated by the County in its role as coordinator of countywide planning activities as required under state law. This is a legislative hearing in nature and, if approved by the Board will need to be done by ordinance. Any action would be tentative until the final Ordinance is done. Spencer then read the pre-hearing statement as required by ORS 197.763 and entered County Counsel's hearing file into the record, marked Exhibit, and noted all contents.

**Todd Dugdale, LDS Director**, stated that state law requires counties to "adopt and maintain a coordinated 20-year population forecast for the county and each

urban area within the county consistent with statutory requirements for such forecasts under ORS 195.025 and 195.036". Counties are further required to include up-to-date population projections in their comprehensive plans or in documents referenced by said plans. Columbia County last updated population projections for the county overall in 1998 and for individual cities in 2001. Currently, the Comp Plan contains population projections forecasted through the year 2015.

In March of 2008, the County received a Technical Assistance Grant from DLCD to update the county's 20 year population forecast. With that funding, the County contracted with the Portland State University Population Research Center to prepare the forecast which was reviewed by a project committee comprised of city representatives from Scappoose, St. Helens, Columbia City, Vernonia, Rainier and Clatskanie. With those findings, projections were prepared for the years 2010, 2020 and 2030. The county is required to adopt the new forecast into its Comprehensive Plan and then cities are to amend their plans so that consistent population growth assumptions are used for planning decisions. This is crucial for the Land Development Services department.

At this time Todd turned the presentation over to Erica Owen, who has been Project Manager for this project, working with the cities to get this forecast coordinated.

Erica reiterated that the county last adopted numbers in 1998 and for the cities in 2001, with projections through 2015. When Commissioner Hyde asked how accurate the last projections were, Erica stated they were pretty close. In reviewing her report, it appears the county overall changes approximately 4,400 to 6,000 residents each decade. Erica stated that all cities are onboard with no objections. Commissioner Hyde asked if we are required to do rural centers. They are part of the unincorporated areas.

The hearing was opened for public testimony.

With no testimony coming before the Board, the hearing was closed for deliberation.

After complimenting staff for their hard work on this, Commissioner Hyde moved and Commissioner Fisher seconded to tentatively approve County application TA 09-04 and directed staff to prepare the appropriate ordinance. The motion carried unanimously.

**HEARING: BUILDING ELECTRICAL/PLANNING ON-SITE SEWAGE FEES:**

This is the time set for the public hearing, "In the Matter of Consideration and Possible Adoption of Revised Building Electrical, Planning and On-Site Sewage Fees". The original ordinance allows fee adjustments by order. If the Board favors the proposed changes, Spencer will need to prepare the final order for Board action.

Todd Dugdale, LDS Director, summarized the proposed fee change for FY 2010. One component of the proposed changes are cumulative consumer price index adjustments to existing fees since the last fee adjustment for those respective categories. Electrical fees have not been updated since 2004. If you add up the annual CPI factors since the last update reflects a 12.7% increase in those fee category. All other fees that are being proposed reflect only a one year CPI which is 2.7%. There are some new fees being added, which are highlighted in yellow in the staff report. Todd had original proposed that the new fees go into effect on September 1, 2009, however he would now recommend the effective date be January 1, 2010.

The hearing was opened for public testimony.

With no testimony coming before the Board, the hearing was closed for deliberations. After little discussion, Commissioner Hyde moved and Commissioner Fisher seconded to tentatively approve the Proposed Building, Planning & On-Site Program Fees effective January 1, 2010 and direct staff to prepare the order. The motion carried unanimously.

**HEARING: AMENDMENT TO RIPD SECTION 683 OF THE CCZO:**

This is the scheduled time for a public hearing, "In the Matter of the Application of Edward and Dolores Norgard for a Text Amendment to Section 683 of the Columbia County Zoning Ordinance Related to Uses Permitted Under Prescribed Conditions in the Resource Industrial Planned Development (RIPD) Zone". Spencer read the pre-hearing statement into the record as required by ORS 197.763, entered County Counsel's hearing file into the record, marked Exhibit "1" and noted all contents.

Glen Higgins, Chief Planner, came before the Board to present the staff report. This application would amend the allowed uses under prescribed conditions in the RIPD zone. The proposed amendment was initiated by Edward & Dolores Norgard,

owners of a 3 acre parcel zoned RIPD used for outdoor storage/repair of boats and marine equipment. A residential unit has been on the property, historically, but cannot be replaced because it's non-conforming status in the zone. The applicant maintains that a full time residential caretaker residence is necessary for this business and that the addition of 24 hour security would enhance similarly situated small lot RIPD uses. The RIPD zone is applied to many differing industrial areas in the county, some with very large lot sizes like Trojan or Port Westward, and some with less than an acre south of Scappoose. Some RIPD zoned lots have existing dwelling. In the last decade, LDS had only a few inquiries about residential uses in the RIPD ZONE. Approval of this amendment would allow flexibility in the industrial zone for instances where a temporary caretaker/watchman dwelling is necessary. County staff and State DLCDC were concerned with carte blanche permitting of residential structures in the Industrial Zone would erode on the built-in protections of zoning for industrial uses. The comment from DLCDC suggests that a temporary watchman residence be in conjunction with a permitted use in the zone and only for a manufactured or mobile home that can be moved easily. The Planning Commission and staff transformed the applicant's request and recommends this more temporary scenario. The applicant has no objection to this modification. After review of the staff report and applicable criteria staff recommended approval of this application with the conditions listed in the staff report.

Commissioner Hyde suggested that language be added that this application would be renewable annually at LDS. Todd felt that would be appropriate to add. Annual renewals are already in the code as it relates to temporary hardship dwellings associated with residential use. The owner shall obtain annual renewal of the temporary residence pursuant to Section 1505.7 which requires review/renewal of temporary permit. Annual renewals are provided if they meet all conditions of the original approval and circumstances remain substantially similar. The use will not be detrimental to the area and adjacent properties and the use complies.

The hearing was opened for public testimony.

#### PROPONENTS

*Glen Mark, 38504 NW Reeder Rd., Portland, OR 97231.* He is here representing the Norgards in the application. He would simply request that the Board take

a look at the cost imposed to people in their situation.

**OPPONENTS**

None.

With no further testimony coming before the Board, the hearing was closed for deliberations.

Commissioner Fisher believes this to be a good compromise and understands the need to have someone out on the property. Commissioner Hyde understands the burden of the fee, however, in order to have staff look at this it takes time. There is an established fee across the board. If there was fee, the costs would be borne on the taxpayers, which is not appropriate. This is a fee for services provided.

After discussion, Commissioner Fisher moved and Commissioner Hyde seconded to tentatively approve the application TA 09-03 as presented, with the modification to require annual renewals until the associated use ceases and direct staff to prepare appropriate ordinance. The motion carried unanimously.

**CONSENT AGENDA:**

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

- (A) Ratify the Select- to- Pay for 8/25/09.
- (B) Order No. 56-2009 In the Matter of the Application by John A. Petersen for Site Design Review to Mine the Tide Creek Site.
- C Oder No. 57-2009 In the Matter of the Application By John A. Petersen for a Surface Mining Operating Permit for the Tide Creek Site.
- (D) Hold Harmless Agreement with AA Group District #31 for use of Camp Wilkerson for the purpose of family camping, August 28-30, 2009.

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(E) Approve Personnel Action for Jan Greenhalgh.

The motion carried unanimously.

**COMMISSIONER BERNHARD COMMENTS:**

*Commissioner Bernhard attended the Democratic Central Committee Meeting. There was a lot of discussion on healthcare.*

*On Monday, she attended the United Way Dine Out at Burgerville. All proceeds for this event go to United Way to help our community. They are also helping with back to school items for kids in need.*

*She attended the ribbon cutting of the Water Treatment Plant in Rainier. This project has been in the works for many years and it's nice to see it finally online.*

**COMMISSIONER HYDE COMMENTS:**

*Commissioner Hyde is back from a week of vacation, but wanted to comment on the United Way campaign. They are doubling their efforts to raise money. With the food banks struggling, we need to support our community and encouraged the employees to give what they can.*

*He will be leaving today to attend a FEMA Regional 10 meeting in Bothell, Washington.*

**COMMISSIONER FISHER COMMENTS:**

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*Commissioner Fisher also commented on the United Way campaign. He was at the Klondike on Friday for the UW Dine-Out.*

*He wanted to thank the fire departments that responded to the Mist-Birkenfeld fire last week.*

*The Board has been interviewing for the new Finance Director position that will be vacated when Ruth Baker retires the end of September.*

*He has been working with ESD to move the CC Rider buses behind the fencing for better security.*

*Also attended the Water Treatment Plant ribbon cutting. The plant is extremely important to the community.*

*He attended a Health District meeting last night. They are working very hard to bring better healthcare to the county.*

*The August 26, 2009 staff meeting has been cancelled.*

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

*Dated at St. Helens, Oregon this 26<sup>th</sup> day of August, 2009.*

*NOTE: A tape of this meeting is available for purchase by the public or*

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interested parties.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

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

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Rita Bernhard, Chair

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

\_\_\_\_\_

Anthony Hyde, Commissioner

Recording Secretary:

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

\_\_\_\_\_

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

Earl Fisher, Commissioner

Jan Greenhalgh, Board Secretary