

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

July 27, 2011

The Columbia County Board of Commissioners met in scheduled session with Commissioner Anthony Hyde, Commissioner Henry Heimuller and Commissioner Earl Fisher, together with Robin McIntyre, Assistant County Counsel and Cynthia Zemaitis, Acting Board Secretary.

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

MINUTES:

Commissioner Heimuller moved and Commissioner Fisher seconded to approve the minutes of the July 20, 2011 Board meeting and July 21, 2011 Staff meeting. The motion carried unanimously.

VISITOR COMMENTS:

None.

HEARING: SCAPPOOSE UGB EXPANSION:

This is the time set for the public hearing, "In the Matter of an Application by the City of Scappoose for a Major Map Amendment to Expand 379 Acres from Rural Residential, Rural Industrial, Agriculture Resource and Community Service to Urban Growth Boundary (UGB)".

Robin McIntyre advised that this hearing is legislative in nature. The City of Scappoose wants to increase its urban growth boundary ("UGB") by approximately 359 acres. Robin read the pre-hearing statement as required by ORS 197.763 and entered County Counsel's hearing file into the record marked *Exhibit 1*.

Commissioner Heimuller moved and Commissioner Fisher seconded to open the record for additional testimony. The motion carried unanimously.

Glen Higgins, Planning Manager, came before the Board to present the staff report. The UGB expansion includes 236 acres in Primary Agriculture lands with Class III soils, a lower priority soil, with only 41 acres of Class II soils in Section 6 or the Northeast expansion area. The application meets the relative criteria. There was some discussion about the C-Z Trail at the Planning Commission level,

and the Planning Commission directed that the City adhere to the memorandum of understanding with the County as it pertains to the trail.

The hearing was opened for public testimony.

PROPONENTS:

Scott Burge, Scappoose Mayor, 3373 SE Myrtle, Scappoose: Mayor Burge submitted his written testimony and conceptual drawing of the CZ Trail into the record, marked ***Exhibit "2"***. He also entered the City of Scappoose Resolution into the record, marked ***Exhibit "3"***. Mayor Burge indicated that the vision for the Meier site went back several decades. The word "industrial" was specifically put into the name of the airport because the intent was to develop the area for industry. Glacier Northwest eventually agreed not to mine the Meier site so that it could be developed. The City's goal is that they are open for business and will work to develop and create jobs. Regarding the C-Z Trail between West Lane and Honeyman, he has always been in support of the trail and pushed to replace the old gates with new ones to allow better access. The City has agreed to embrace the 1996 memorandum of understanding as evidenced by the Resolution just submitted into the record and by the conceptual drawing of this portion of the trail.

Brian Varricchione, Scappoose City Planner, 33568 Columbia Avenue, Scappoose: Brian stated that this application is a result of a 3-year project to encourage economic development, with the intent to provide land for development over a 20-year period. The Economic Opportunity Analysis was reviewed by an advisory committee and the City Council, with many modifications made after public in-put. The county staff has drafted findings concluding that the City's application meets the criteria. The City of Scappoose supports this UGB expansion and he encourages the Commissioners to do the same.

Bob Short, 1050 N. River Street, Portland, OR, 97227. Mr. Short is employed by Cal Portland, formerly known as Glacier and Northwest Aggregates and operates in Scappoose. For years, he has been involved in the long and colorful history of the Meier site. One of the principal reasons Glacier chose to forego the best mining site in the state was the community's support in the development of the site. The County decided in 2000 to take a Goal 5 exception, which basically resulted in reserving this site for airport-related industry. Mr. Short read a portion of the County's Comprehensive Plan which outlined the City's intent to use that property for industrial development. The County chose between genuine competing issues, choosing to reserve the Meier site for industry, and he strongly encourages the Board to approve this expansion.

Paula Miranda, Port of St. Helens, 100 E Street, Columbia City, Oregon. Paula

had the opportunity to work on the Economic Opportunity Analysis and supports increasing the industrial area for development. She stated that when Port next looks at their Master Plan for the airport, they will be looking at increasing the runway, which would also increase the economic opportunities. She has heard some concerns being expressed that they want to turn this airport into Portland International, but their only main competitors are Aurora and Troutdale. Part of the task of the Port is to create economic opportunities and jobs. They are currently working with several tenants on expansion plans and will soon be out of room for further expansion. This is a good opportunity for needed expansion and, on behalf of the Port of St. Helens, extends support for this application.

David Stocker, Director, Columbia County Economic Team. David read a statement from the Economic Team supporting this UGB expansion and entered the letter into the record, marked *Exhibit "4"*.

Ed Freeman, President of American Property Management, 2154 NE Broadway, Portland, OR 97232. Mr. Freeman indicated that his company owns the majority of the acreage that is proposed for the UGB expansion. He would like to address several questions that have been raised during this whole process. The first being the job growth potential. He stated that the one factor that isn't receiving enough attention is that this is unique industrial land - it is airport services industrial land, which is rare in this area. A second question raised was the existence of other industrial lands, which the company has mostly sold off due to the down turn in the economy.

He knows that the C-Z Trail has been a contentious issue, but if the citizens understood the agreement that is already in existence between the City and the County, they wouldn't be so concerned. Both the City of Scappoose and Mr. Freeman's company are in full support of the trail as outlined in the diagram submitted by the City.

Mr. Freeman indicated that lifestyle was an issue, with the fear that with all this growth things would change. He believes that growth would be a good thing. So many local citizens are spending hours each day commuting to Portland or Hillsboro for work. If there were more local jobs, that would keep people in the community. He also stated that from the Governor on down, there is a state-wide effort to create more industrial lands which are shovel ready. Mr. Freeman encourages the Commissioners to support this expansion.

Joe Esmonde, IBEW Local 48, 15937 NE Airport Way, Portland, OR 97230. He is here today speaking on behalf of the IBEW, the Columbia Pacific Building Trades organization. Mr. Esmonde indicated that there is probably 250 members of the IBEW

in this community who have to leave the area to find work. He hopes the Commissioners will approve this expansion and bring more jobs to this County.

Lem Waggoner, 33951 Oak View Drive, Scappoose. Mr. Waggoner stated that when this all started at the Scappoose Planning Commission, they were told that there would be no change in taxes, no change in zoning, no annexations. If the UGB expansion is approved, the universe doesn't change, it just makes it possible for change. In addition, any development would not add a massive amount of people or cars into the community.

Keith Settle, 33341 Gilmore Road, Scappoose. Mr. Settle stated that he owns a piece of property which lies in the northwest section of the proposed expansion. When they needed to expand his company 5 years ago, they tried to find suitable ground with easy access to the highway and it wasn't easy. They found the site on Gilmore Road which has a split zoning, so only 2 acres lies within the UGB. However, that gave him the opportunity to expand and employ 10 people. In the near future, they will be looking to expand to a 10-to-15 acre parcel. He employs local people and, if they can find more land inside Scappoose, they can keep those jobs here. Mr. Settle asked that the UGB expansion be approved so they can stay home with the work they already have.

OPPONENTS

Tom McInnis, 51005 SW Old Portland Road, Scappoose: Mr. McInnis indicated that his property is in the southwest area of the proposed expansion. He just wanted to point out that, in the public hearing notice that was sent out, there is an error in the description regarding the 16 acres. He gave Glen Higgins a copy of the notice, pointing out the error is in section 3, transposing the "east" and "west". He believes the notice should read *west* of Columbia Hwy and *east* of Old Portland Road.

Marie Gadotti, 33717 Johnsons Landing Road, Scappoose: Mrs. Gadotti stated that she does not oppose the expansion of the UGB, but is asking that their property be included. All of this development surrounding their property is having a huge effect on their attempts to farm their land. She indicated that it is very difficult to get farming equipment to the property due to the extra trucks now on the road and taking the highway is very dangerous and impedes traffic. Aerial spraying of the crops is no longer available because of the surrounding development, and there is an increased liability risk for using pesticides. They have already been turned into the state and the police. Mrs. Gadotti has been told her property could not be included because of the Class II soils. However, she pointed out that this

expansion will include several acres of Class II soils, so it seems the only time the class of soil is relevant is when the discussion is about bringing their property into the expansion. Mrs. Gadotti stated that adding approximately 60 more acres, to include the Havlik property and theirs, would only add to development and more jobs. She then submitted a packet of information into the record, marked *Exhibit "5"*.

Mike Sheehan, 33126 Callahan Road, Scappoose. Mr. Sheehan submitted a handout into the record, which is entered as *Exhibit "6"*. Mr. Sheehan reviewed the list of items included in County Counsel's file and doesn't see anything that was submitted by himself or the 1,000 Friends during the City of Scappoose hearings. Robin stated that those items may have been submitted with the City's application. Mr. Sheehan stated that they submitted substantial comments, all of which should be a part of the record if they are not already.

Pat Zimmerman, 52057 Rabinsky Road, Scappoose. Ms. Zimmerman stated that she is submitting brief testimony from herself and extensive testimony from 1,000 Friends, both to be included into the record. Ms. Zimmerman's written testimony was entered into the record marked *Exhibit "7"* and the 1,000 Friends testimony and attachments as *Exhibit "8"*.

With no further testimony coming before the Board, the hearing was closed to oral testimony. On inquiry, Robin indicated that the Board could leave the record open for written testimony. There is no time line with this application, as this is a legislative hearing. After discussion, Commissioner Fisher moved and Commissioner Heimuller seconded to keep the record open for 7 days to allow for further written testimony, give the applicant 7 days for rebuttal, and hold the deliberations on August 17, 2011, at or after 10:00 a.m.. The motion carried unanimously.

CONSENT AGENDA:

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

- (A) Ratify the Select to Pay for week of July 25, 2011.
- (B) Appoint Ken Johnson to the Citizens Transit Advisory Committee to complete the term of Rocky Johnson.

- (C) (New) 2011 Liquor License for Express Mart, LLC in Scappoose, Oregon.
- (D) Approve the waiver of the 2010 and 2011 medical hardship mobile home renewal fees for Elizabeth Tyrrell.
- (E) Approve the partial waiver of the temporary medical hardship mobile home permit and temporary mobile home septic system site visit/inspection for a total of \$430 for Janice Farden.
- (F) Order No. 58-2011, "In the Matter of Declaring Certain Personal Property Owned by Columbia County to be Surplus to the County's Needs and Directing the Disposal or Sale Thereof".
- (G) Order No. 59-2011, "In the Matter of Adding New Members to the Homeland Security and Emergency Management Commission".
- (H) Resolution No. 60-2011, "In the Matter of Authorizing David Stocker to Sign an Extended Enterprise Zone Agreement with Cascade Kelly Holdings, LLC".
- (I) Ratify the following Closing Documents for the purchase of 1236 E. Alder Street, Vernonia, Oregon (Melody Gray Trust) and authorize the Chair to sign - Buyer's Estimated Settlement Statement; HUD Estimated Settlement Statement, Sale Escrow Instructions, Preliminary Title Report; Statutory Warranty Deed; Hazard Mitigation Grant Deed Restriction; and Notice of Fair Compensation.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (J) Amendment to the Personal Services Contract with Ethos Project Management.
- (K) Oregon Commission on Children & Families 2011-2013 County Healthy Start - Medicaid Administrative Activities Intergovernmental Agreement.
- (L) Personal Services Contract with CASA for Kids, Inc. for CASA services.
- (M) Personal Services Contract with Columbia Community Mental Health for Skills Trainer and Teen & Family Transition Programs.
- (N) Personal Services Contract with Community Action Team, Inc. for Healthy Start 2011-13.

The motion carried unanimously.

COMMISSIONER HYDE COMMENTS:

Commissioner Hyde stated that Columbia County helped host the 76th Annual NACo conference

held in Portland and felt that Oregon pulled it off pretty well.

COMMISSIONER FISHER COMMENTS:

Commissioner Fisher noticed that Dan Garrison had been in the audience and he wanted to say thanks for the great job the Health Foundation has done to make sure public health services were not interrupted during the transition.

Commissioner Fisher attended the US 30 Safety Committee meeting last night. The discussed a lot of technical things but, at the end of the day, the biggest way to make the highway safer is for the people to take personal responsibility as they enter onto and drive on US 30.

COMMISSIONER HEIMULLER COMMENTS:

Commissioner Heimuller stated that this week will be the resurrection of the Scappoose Pow Wow, which started back in the late 1950's. There is a great group of young volunteers putting this together, and he wishes them the best and hopes it turns into a good community event.

He also gave a call-out for the Clatskanie Blues Festival that starts at 2:00 on Saturday.

He would like to reiterate Commissioner's Fishers kudos to the Public Health Foundation. He has not received one complaint about the transition and, despite the length of time it took to figure it all out, it could not have gone better. Commissioner Hyde added that there is likely to be additional changes in public health from the State level on down in the future.

There was no Executive Session held.

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

Dated at St. Helens, Oregon, this 27th day of July, 2011.

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: _____

Earl Fisher, Commissioner

Recording Secretary

By: _____

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Henry Heimuller, Commissioner

By: _____
Cynthia Zemaitis, Acting Board Secretary