

COLUMBIA COUNTY BOARD OF COMMISSIONERS  
BOARD MEETING

MINUTES

July 11, 2012

The Columbia County Board of Commissioners met in scheduled session with Commissioner Anthony Hyde, Commissioner Earl Fisher, Commissioner Henry Heimuller, together with Robin McIntyre, Assistant County Counsel and Jan Greenhalgh, 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 27, 2012 Board meeting and July 27, 2012 Staff meeting. The motion carried unanimously.

**VISITOR COMMENTS:**

Steven Jupe introduced himself to the Board. He is the new Superintendent for the Scappoose School District. He would like to be involved in creating more partnership within the county and is definitely interested in the Hwy 30 Safety Committee, specifically the educational sub-committee. The Board welcomed him to the County.

**HEARING: PROPOSED RATE ADJUSTMENT FOR WM AND HUDSON GARBAGE:**

This is the time set for the public hearing, "In the Matter of the Proposed Franchise Rate Adjustments for Waste Management and Hudson Garbage Rural Areas.

Todd Dugdale, LDS Director, came before the Board to give the staff report on two rate requests. On Thursday, May 31, 2012, Waste Management, who is the franchisee for the rural Vernonia and Scappoose area, and Hudson Garbage who is the franchisee for the St. Helens rural area, proposed collection rate adjustments in the form of a Detail Cost Report (DCR) to the Columbia County Solid Waste Advisory Committee (SWAC) At-Large members and staff. The SWAC approved the DCR as a uniform annual reporting format to be used to review any proposed solid waste collection rate adjustment. Columbia County joins most other jurisdictions providing Solid Waste services in using the DCR method of documenting the need for rate adjustments. Since the DCR's contain confidential financial information, only A-large members and staff are allowed to review the data. Any rate adjustment proposed by franchise haulers that is in excess of the transfer station CPI adjustment pass-through rate or is out of the acceptable Operating Margin of 8% - 14% requires a SWAC recommendation to the Board of Commissioners for a public hearing.

At the May 31<sup>st</sup> meeting, Waste Management presented to the SWAC At-large members and staff proposed rate adjustments for both curbside franchise areas that would bring their operating margin to the DCR mandated 11% target for FY 2013. The SWAC At large members unanimously recommended the proposed rate adjustments to the Board for a public hearing.

In addition, Hudson Garbage also presented proposed rate adjustments for the rural St. Helens franchise area that would bring Hudson Garbage back into the mandated range and target of 11% operating margin.

Based on a review of information submitted in support of the franchise hauler requests and the staff statement of facts and findings, the SWAC and staff recommend approval of the collection rate adjustments.

Todd suggested that the Board conduct the hearings separately for each area so those effected can testify.

At this time, the hearing was opened for public testimony the Waste Management rate request for the Vernonia and Scappoose area.

***Kirk Duncan and Dean Kemper, Waste Management:*** Dean reviewed the information on the rate increase now before the Board. He explained that the increase is basically to cover labor, fuel, insurance and disposal increases for a total of 3.1% for the Scappoose area and 4.0% for the Vernonia area. Kirk explained how these percentages were determined and stated that Waste Management feels that the more frequent, smaller rate increases are good public policy.

Commissioner Fisher agrees with the concept that smaller increases on a more regular basis is much more acceptable to the customer.

Commissioner Heimuller asked if when the rates were increased at the transfer station last year with an automatic escalator included, did that not push out to the hauler so that they were also getting the automatic escalation? Todd confirmed that there is an automatic CPI built in. Commissioner Heimuller agrees that business needs to make a profit, but if the rates are already within the margin, why the need for a rate increase this year. Dean responded that, depending on where the CPI and other factors land, rates could be much higher next year. Commissioner Heimuller addressed a concern that the documents provided, by both companies, come from them. There is nothing that certifies these numbers as correct. This is the baseline year for the County to compare with in the future and he would like to see something to show these numbers are accurate.

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

The hearing was then opened for public testimony on the rate adjustment request for Hudson Garbage.

*Jason Kirschenmann and Jason Craft, Hudson Garbage, 58597 Old Portland Road, St.*

*Helens:* Hudson Garbage services three areas in the county, two of which are within the range. They are currently asking for a rate adjustment only for the St. Helens rural areas because it is out of the “range”. The current rate of return is 6.9%, with a proposed rate adjustment to 11% due to increases costs in fuel, insurance, etc. Jason K explained how their rate of return is determined.

With no further testimony, the hearing was closed.

The Board began deliberations on both proposals. Commissioner Fisher appreciates the work that SWAC does and understands the CPI process, his only concern is with the new rate in the Scappoose area because that area is still clearing in the range. Commissioner Hyde understands that, but feels the SWAC spent a lot of time on this proposal and their recommendation should be considered. Roy Weedman, former Solid Waste Coordinator, stated that when SWAC looked at that “delta” , they had looked at other jurisdictions, which varied widely, and just had to find an acceptable margin.

After discussion, the Board wanted some additional to time to review the information and with that, Commissioner Fisher moved and Commissioner Heimuller seconded closed the hearing but leave the record open for additional testimony to Wednesday, July 18, 2012 at 10:00 a.m. The motion carried unanimously.

**CONTINUE HEARING: RATE ADJUSTMENT FOR CURBSIDE RECYCLING:**

This is a continuation of the public hearing held Monday, July 9, 2012 at Rainier City Hall to take testimony on a proposed rate adjustment for curbside hauling in rural Rainier.

Commissioner Heimuller received a call from Connie Budge who wanted to be on record that Hudson Garbage has answered all of her questions raised at that hearing.

Todd explained that this is a request by Hudson Garbage for the rural Rainier area and basically proposing a \$3.80 per month/per customer for every other week of curbside recycling pickup. They can provide this service at this cost only if the City of Rainier and County approves it. Otherwise it would not be cost effective.

Commissioner Heimuller asked why they didn't accept grass clipping. Jason explained there was no feasible place to dump the clippings and would have to be taken to St. Helens and further, there is no burn ban in Rainier, so for the most part people burn their yard debris.

Discussion was held on the possibility of having a depot for people to deposit their glass.

Why not have a recycling depot with multi-bins for all recycling. Jason felt that would not be hard to do, but it would have to be maned. Even with the best intentions, those types of can turn into a trash dump.

With no further testimony, the hearing was closed for deliberations. Commissioner Heimuller felt that there seemed to be more support than not for this proposal and Ms. Budge has had her concerns and questions addressed. With that, Commissioner Heimuller moved and Commissioner Fisher seconded to approve Order No. 34-2012, "In the Matter of a Proposal by Waste Connections of Oregon, Inc., dba Hudson Garbage

Service, to Add Curbside Recycling Services for Customers in the Unincorporated Franchise Areas Around the City of Rainier. The motion carried unanimously.

**ORDINANCE #2012-4 - AMENDING ENFORCEMENT ORDINANCE:**

Robin explained that this amendment to, for the most part, housekeeping items, but does include some enforcement of the kennel issues, etc. This ordinance includes an emergency clause to allow the Fair Board members are able to enforcement the rules. After some discussion, Robin gave the first and second reading of the ordinance, by title only. Commissioner Heimuller moved and Commissioner Fisher seconded to adopt Ordinance No. 2012-4, "In the Matter of Amending the Columbia County Enforcement Ordinance to Add Enforcement Authority for Kennel and Dog Nuisance Violations and General Housekeeping Amendments". The motion carried unanimously.

**CONSENT AGENDA:**

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

- (A) Ratify the Select to Pay for week of 6/25/12; 7/2/12; 7/9/12.
- (B) Amended and Restated Order No. 15-2012, "In the Matter of Declaring a Financial Exigency and Establishing a Furlough Schedule for Fiscal Year 2012-2013".
- (C) Cancel Builder's Risk Policy for the Columbia County Transit Center.
- (D) Authorize payment of invoice to CIS for general liability, auto liability, property/liability, excess earthquake and excess crime insurance coverage in the amount of \$234,232.82.

- (E) Authorize payment of invoice to CIS for Columbia County Development Agency property/liability in the amount of \$1,160.85.
- (F) Approve Commissioner Hyde as the authorized signer for the Transportation Electronic Award Management System (TEAM).
- (G) Deny the request by Teresa White for a waiver of the \$1,103 Home Occupation/ Conditional Use Permit fee for a dog kennel.

**AGREEMENTS/CONTRACTS/AMENDMENTS:**

- (H) Amendment #1 to the Intergovernmental Agreement #A000034 between State of Oregon and Columbia County for Motor Vehicle Rentals, Fuel Purchases and Motor Pool Shop Services and authorize the Chair to sign.
- (I) Amendment #3 to the contract with Aramark to Provide Food, Commissary and Laundry Service to the Columbia County Jail.
- (J) Amendment #8 to the 2011-2013 Intergovernmental Agreement #134305 with DHS and authorize the Chair to sign.

The motion carried unanimously.

**REQUEST FOR ATM IN COURTHOUSE:**

Betty Huser, County Clerk, requested authorization to proceed with obtaining information for siting an ATM on the second floor of the courthouse. This would be a huge convenience to the public. The Board agrees but there are questions about the bidding process and the costs involved. After some discussion, the Board directed Betty to work with County Counsel on the legalities and bring that information back to the Board.

**COMMISSIONER HYDE COMMENTS:**

Commissioner Hyde enjoyed the various 4<sup>th</sup> of July events around the County and participated in the Clatskanie and Vernonia parades.

He reported that on Monday he was in Salem to meet as part of a forest committee, the American Forest Resource Council (AFRC); AOC and O&C Counties, to discuss the implementation of a management plan for our federal forest lands, which is over 52% of the State of Oregon. Although it was great to have a one year extension of the Secure Rural Schools funding, it was basically a band-aid. There needs to be a plan in place for more long term sustainable funding.

He will be leaving tomorrow for the NACo conference in Pennsylvania.

Yesterday, he was in Salem to attend the Forest Trust Land Advisory Committee meeting. They discussed the State management plan and some on-going litigation. He also met yesterday with the Port of St. Helens on behalf of the CCDA to talk about a payment schedule on loans taken out on Port Westward infrastructure by the Port and CCDA.

**COMMISSIONER FISHER COMMENTS:**

Commissioner Fisher is concerned with the mismanagement of our forests and the potential for fires. The situation in Colorado is an example of the lack of forest management.



On the 4<sup>th</sup> of July, he attended the Heritage Days in Clatskanie. It was a well attended affair and appreciates our local gatherings. The Rainier Days, Scappoose Pow-Wow and the Maritime event in St. Helens are coming up next week.

He will be headed to Bend for a GOBHI meeting on CCOs.

**COMMISSIONER HEIMULLER COMMENTS:**

Commissioner Heimuller also enjoyed the Heritage Days event in Clatskanie.

He wanted to mentioned that long time Clatskanie resident Norma Hendrickson recently passed away. Norma was instrumental in the development of public transportation development in Columbia County. She was a very well respected citizen in this community, sat on many committees and was a force to be reckoned with.

He reminded everyone that the Columbia County Fair opens next Wednesday.

He was asked by Mayor Peterson to sit on the City of St. Helens Rail Advisory Committee.

There will be a like committee in each community, supported by the rail companies, to address issues effecting each community as rail traffic increases. There will be a meeting tonight in Scappoose.

There was no Executive Session held.

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

Dated at St. Helens, Oregon this 11<sup>th</sup> day of July, 2012.

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: \_\_\_\_\_

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Anthony Hyde, Chair

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

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Earl Fisher, Commissioner

Recording Secretary:

BOC Minutes

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

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By: \_\_\_\_\_  
Jan Greenhalgh

Henry Heimuller, Commissioner