

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

April 3, 2013

The Columbia County Board of Commissioners met in scheduled session with Commissioner Henry Heimuller, Commissioner Anthony Hyde and Commissioner Earl Fisher, together with Sarah Hanson, County Counsel, Robin McIntyre, Assistant County Counsel and Jan Greenhalgh, Board Office Administrator.

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

MINUTES:

Commissioner Fisher moved and Commissioner Hyde seconded to approve the minutes of the March 27, 2013 Board meeting and March 27, 2013 Staff meeting. The motion carried unanimously.

VISITOR COMMENTS:

Will Kessi Jr., 34366 E. Columbia Avenue, Scappoose. Because his comments are related to the solid waste ordinance amendments, comments cannot be taken at this time.

DELIBERATIONS: AMENDMENTS TO THE SOLID WASTE ORDINANCE:

This is the time set for deliberations “In the Matter of Amending Section 4.01 of the Columbia County Solid Waste Management Ordinance Relating to Persons, Activities and Practices Regulated”.

Robin McIntyre stated that the Board held a public hearing on this matter on February 20, 2013 after which the hearing was closed to oral testimony and the record was left open to March 6, 2013. On March 6, 2013, the Board directed staff to survey other counties on how they address the issue of self haul in their Solid Waste Ordinances and deliberations carried over to today. On March 20, 2013, staff reported their findings on other county ordinances and submitted a revised staff report. Robin updated the record by entering the following items: Board Communication from Todd Dugdale dated 3/20/13 as **Exhibit "D"**; and the updated Board Communication from Todd Dugdale dated 3/27/13 as **Exhibit "E"**.

After some discussion by the Board and direction from County Counsel, Commissioner Fisher moved and Commissioner Hyde seconded to reopen the hearing on this matter to allow oral testimony. The motion carried unanimously.

Todd Dugdale, LDS Director, came before the Board to present the updated staff report. At the Board's request, staff surveyed 9 other county solid waste ordinances on the question of what persons may self haul solid waste "those who are not required to use the county franchised hauler for their services". In review, 8 out of the 9 counties prohibit landlords from hauling tenants solid waste.

The Board then took public testimony.

Will Kessi Jr., 34366 E. Columbia Avenue, Scappoose. Will first thanked the Board for giving him the opportunity to speak on this matter. He appreciates the time spent by staff looking at other countries and how they address this issue but would assume those counties have franchisees that they want protected. He personally has been a landlord for 20 plus years and, by him hauling the garbage away, he finds it keeps the properties cleaner. Further, he was told years ago, that if there is garbage on his property, even rentals, it's his garbage and is responsible for the disposal of it. Will does not understand the need for an amendment on such a small issue. He would think that the County would want to keep the garbage cleaned up. If that is approved, he can't even haul his own garbage.

When asked by Commissioner Fisher how many units Mr. Kessi is hauling for, Will thought it to be approximately 50 cans. He doesn't charge his tenants for the garbage haul but if this amendment is approved, he would have to pass that cost on to his tenants. For clarification, his truck is self contained and water tight. He has never received a complaint, other than the one that Todd received from the franchisee. The sticking point here is that Will owns the property, he is not hauling for someone else.

Commissioner Hyde continues to feel the same as he did originally. He believes the language in these ordinances were written by the franchisees. From a practical point, how many landlords are going to buy a truck and outfit them to haul garbage. He believes this amendment is heavy handed and not necessary. If the county can do anything to help a business, a tenant and to keep costs down, we should do it.

With no further testimony, Commissioner Fisher moved and Commissioner Hyde seconded to close the hearing to oral testimony and leave the record open for written testimony to the time of deliberation on Wednesday, April 10, 2013, at or after 10:00 a.m. The motion carried unanimously.

CONSENT AGENDA:

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

- (A) Ratify the Select to Pay for week of 4/1/13.
- (B) Appoint Terry Moss to the Columbia County Traffic Safety Committee to complete the term of Steve Sallee.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (C) Amendment #2 to the Public Services Contract by and between Columbia County and Wells Fargo Insurance Services.

The motion carried unanimously.

PROCLAIM APRIL 2013 AS "CHILD ABUSE PREVENTION" MONTH:

Commissioner Hyde read the proclamation into the record, after which Commissioner Fisher moved and Commissioner Heimuller seconded to proclaim April 2013 as "*Child Abuse Prevention Month*". The motion carried unanimously.

EXECUTIVE SESSION UNDER ORS 192.660(2)(f) - EXEMPT RECORDS

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

COMMISSIONER HYDE COMMENTS:

Commissioner Hyde commented on the O&C hearings in Salem today and tomorrow.

COMMISSIONER FISHER COMMENTS:

Commissioner Fisher reported on what is happening in Salem with the Community Corrections budget, how funding would be delivered to Oregon counties and what would be expected for offender management. Depending on the end result, it could \$300,000 out of our local corrections budget.

BOC Meeting

4/3/13

Page 5

COMMISSIONER HEIMULLER COMMENTS:

Commissioner Heimuller is glad to be home from vacation.

He briefly reported on the Community Action Team Finance committee meeting he attended prior to leaving on vacation.

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

Dated at St. Helens, Oregon this 3rd day of April, 2013.

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: _____

BOC Meeting

4/3/13

Page 6

Henry Heimuller, Chair

By: _____

Anthony Hyde, Commissioner

By: _____

By: _____

Jan Greenhalgh

Earl Fisher, Commissioner

Board Office Administrator