

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MEETING MINUTES

July 10, 2013

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

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

MINUTES:

Commissioner Hyde moved and Commissioner Fisher seconded to approve the minutes of the July 3, 2013 Board meeting and July 3, 2013 Staff meeting. The motion carried unanimously.

VISITOR COMMENTS

None.

HEARING: KNIFE RIVER TEMPORARY PERMIT

This is the time set for the public hearing “In the Matter of an Application by Knife River for a Temporary Permit to Site and Operate a Portable Ready Mix Concrete Batch Plant on Property Located on Kallunki Road, Clatskanie, Oregon”.

On Robin’s inquiry, the Board declares there had been no *ex parte* contact with regard to this matter. Robin then read the pre-hearing statement into the record as required by ORS 197.763. She then entered County Counsel’s hearing file into the record, marked **Exhibit “1”** and listed all contents.

Glen Higgins, Chief Planner, presented the staff report, explaining that Knife River wants to place a temporary concrete batch plant on the Port Westward site near Kallunki Road. This is the same site which was used by Morse Bros. when PGE erected their new plant a couple years ago. The only comment received was from the Road Department, which had no objections. Staff recommended approval of this temporary permit.

The hearing was opened for public testimony.

Proponents:

Tim Marshall, Knife River, 32260 Old Hwy 30, Tangent, OR. Mr. Marshall stated that this was a straightforward request. The pad they will be using was left there at the request of the property owner. He has appeared at the hearing in case the Board or others have any questions. There were no questions for Mr. Marshall.

Craig Allison, Property & Operations Manager, Port of St. Helens. Mr. Allison attended the hearing to answer any questions the Board might have for the Port. There were no questions.

Opponents:

None.

Glen Higgins summarized the recommended conditions: 1) No permanent new structures, nor any additions to existing structures, are permitted as a result of this application; 2) the temporary use will only be valid for 1 year, after which it would need to be renewed; 3) applicant must obtain a WPCF permit; 4) applicant is to submit a restoration plan for the site that is approved by LDS, which shall be finalized within 1 year after completion or 1 year after the date of permit issuance, whichever is sooner; 5) if necessary applicant shall obtain a building permit site plan; 6) if needed, applicant shall submit a staging area lighting plan for approval by LDS.

Thereafter, the hearing was closed. Robin recommended that any approval be tentative, allowing staff to complete a final order.

Commissioner Hyde moved and Commissioner Fisher seconded to tentatively approve the application. The motion passed unanimously.

HEARING: RATE ADJUSTMENTS FOR CURBSIDE COLLECTION SERVICES:

This is the time set for the public hearing “In the Matter of the Rate Adjustments for Curbside Collection Services for Franchised Haulers in Rural Columbia County”.

Robin McIntyre explained the hearing procedure, and the fact that, since this is not a land use hearing, a pre-hearing statement is not needed.

Todd Dugdale, LDS Director, gave the staff report for the applications submitted by Waste Management and Waste Connections dba Hudson Garbage. Todd suggested that the Board focus on the application of Waste Management first and Waste Connections second, which will allow the witnesses to testify to each application.

Commissioner Heimuller confirmed with Waste Connections that it was ok to refer to them as Hudson Garbage during this procedure to avoid confusion.

Robin introduced Ex 1 and noted for the record that the Detailed Cost Reports are confidential.

Proponents:

Mike Jeffries, Waste Management, 7227 NE 55th Avenue, Portland, OR. Mr. Jeffries is the pricing manager for Waste Management. In this application, they've requested two rate adjustments, one for the Scappoose area and the other for the Vernonia area. The

request for an increase in rates is based, in large part, on the transfer station pass-thru. Their request for a rate increase last year was denied and with the new DCR reporting they feel a rate increase is warranted.

Commissioner Heimuller asked Mr. Jeffries to explain how the recycling program in Vernonia increased the rates. Mr. Jeffries indicated they incurred higher labor costs than anticipated and the costs of recycling has increased, with less being paid for those commodities.

Mike Sheehan , 33236 Callahan Road, Scappoose. He is part of SWAC and has voted to approve the rate increase request, but wanted to mention a couple of issues. He explains this is a “cost plus” system, which has been approved. Another issue is how the costs are allocated; there might be some incentive to allocate costs to the County rather than the cities. Third, all the cities have their UGB areas, and more care needs to be taken as to whether the borderlines between the city jurisdictions and county jurisdictions are being monitored; in the past, the UGB allocations were going to the city, with the County not getting its franchise fees.

Opponents:

None.

Rebuttal:

Dean Kamphor, Waste Management. Mr. Kamphor is very familiar with their services in Washington County, who's rates are set at 10%. In regards to Mr. Sheehan's comment, he doesn't believe the system is “cost plus”. As far as allocating costs, they would be happy to look at their database and be sure each customer is in the right jurisdiction.

Mr. Jeffries stated that the process involved in the Detailed Cost Report is doing a very

good job of tracking costs, which is used in a major effort to properly allocate costs. They would be willing to share all this information with the County if they'd like to come out and take a look.

Mike Sheehan comments that Waste Management is the biggest waste company in the world, and may allocate overhead costs much higher than a local collector.

Todd concluded this portion of the hearing by going over the actual numbers of the rate increase.

Waste Connections dba Hudson Garbage

Todd continued the staff report on the Waste Connections request for a rate increase, summarizing the Detailed Cost Report.

Proponents:

Derrick Rant, Division Vice President, 2115 Gable Road, St. Helens, and Ernie Martin of Waste Connections. Mr. Rant explained that they have 3 service areas: St. Helens, Rainier and Clatskanie. They have experienced a substantial decrease in the service from commercial customers this last year. In addition, they had to stop driving up driveways to pick up cans, and lost a number of customers because of that. The third piece is the loss of commodity value on recycling items.

On the positive side, they were able to recoup some of the loss by rolling out new programs and new routes.

Commissioner Heimuller asked about the \$16,000 loss in commercial accounts and

whether that was from one customer. Rant says they lost 7 commercial customers, and from both moves and downsizing of services. Commissioner Heimuller pointed out that Waste Connection voluntarily cut services, so he is not too sympathetic with the loss they are experiencing. Mr. Rant indicated that the issue in St. Helens is really the loss of commercial customers. Commissioner Heimuller stated that it appears the requested 8.8% rate increase is a whole lot more than the \$16,000 loss. Mr. Rant explained that there were several factors making up the 8.8%.

Commissioner Fisher asked for the reason in decline on the commercial side, and Mr. Rant agreed that several businesses closed or moved away. Commissioner Heimuller requested to see the documentation on who has left the commercial arena and who has come in. Mr. Rant indicated that they would put that together as a comparison for the last couple of year. Commissioner Heimuller stated that they are now seeing an up-swing in the economy, which should increase business. Commissioner Fisher pointed out that when a business closes, it has a ripple effect all through the community.

Opponents:

None.

Todd Dugdale ran through the numbers reflecting the rate increase.

With no further testimony, the hearing was closed for deliberations. Commissioner Heimuller asked for clarification that Rainier's current rate is \$21.77, which appears to be approximately \$4 less than all other areas. Todd confirmed that that was the correct number. Commissioner Hyde wanted to know why Rainier's rates were so much cheaper. Mr. Rant stated he believes it is due to better density in the Rainier area, such as in the mobile home parks. Todd clarified that there was an error in the new rate reflected for Rainier; it should be \$21.94. Commissioner Fisher indicated he appreciates the work that Mike Sheehan and all the other folks have done on this.

Commissioner Hyde moved to approve the recommendations of the SWAC, as amended.

Commissioner Fisher seconded the motion.

Commissioner Heimuller pointed out that he has a little heart burn with Hudson Garbage asking for a rate increase given the fact they chose the business model which caused some amount of grief. He cautioned that he would not be a supporter of any further rate increases should Hudson Garbage decide to make another policy change such as stopping the drive-in service as they did last year.

Commissioner Hyde commented that we are looking forward to an economic upturn in the future, increasing business for all.

With no further discussion, the motion carried unanimously.

CONSENT AGENDA:

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

- (A) Ratify the Select to Pay for week of 7/8/13.
- (B) Approve Personnel Action for Jan Kenna.
- (C) Cancel the Board Meeting and Staff meeting for Wednesday, July 17, 2013.
- (D) Approve plans and specs for Spencer Park reconstruction.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (E) Construction Contract with Modern Building Systems, Inc. for the Columbia County Emergency Management Facility.
- (F) Intergovernmental Agreement with Sunset Empire Transportation District for

Trolley Vehicle Use during the 2013 Columbia County Fair and authorize Chair to sign.

- (G) Hold Harmless Agreement with Maritime Heritage Coalition for use of County facilities on July 26 - 28, 2013, for the 2013 Maritime Heritage Festival.

The motion carried unanimously.

PARK RULE WAIVER:

Robin McIntyre was present to discuss a park rule waiver request by the Wapato Valley Church, who has reserved all of Big Eddy for July 19 to 21, and would like to use an amplifier during that event. Glen Crinklaw discussed some details of the Church event, which is the second event held here in the County. Glen sees no problem with them providing sound amplification, but would recommend that the projection be towards Hwy 47 as opposed to the back of the park, where residences are found. The amplification will be taking place on Friday evening, two periods on Saturday, and a Sunday morning service. The evening event should conclude before sunset.

Glen agrees they have had a good experience with this group before.

Commissioner Heimuller asked whether any contact had been made with the neighbors. Glen indicated they would talk with the neighbors before the event.

Commissioner Hyde moved to tentatively approve the waiver and directed staff to prepare the order. Commissioner Fisher stated that a condition be placed on the waiver that amplification not be used after sunset and, with that, seconded the motion. With no further discussion, the motion carried unanimously.

COMMISSIONER HYDE COMMENTS:

Commissioner Hyde was in Salem at the AOC meeting Monday, where they ran through all the bills that did and did not pass. He stated that they need to pay attention to what is in the queue and how to make things happen.

There was also a discussion on whether they should request UASI dollars from the State to continue the program. Columbia County was the only county that did not support it, and he was a little surprised. The vote was 8-to-2 to submit a regional application.

Commissioner Hyde stated that he appreciated all of Commissioner Heimuller's efforts with the Fair, as well as the good job that the Fair Board is doing.

COMMISSIONER FISHER COMMENTS:

Commissioner Fisher attended the AOC meeting and wanted to shout out appreciation to the clerks and all others involved.

Commissioner Fisher also wanted to mention appreciation for all the work that has been done in the last 24 hours to try to get the State to deal with the mental health issues. The people in Salem are looking at a piece of paper and are not aware of what is going on, but the people who are doing the actual work cannot work with those rules.

COMMISSIONER HEIMULLER COMMENTS:

Commissioner Heimuller wanted to give a call out to CRF&R and 9-1-1 for their partnership in the new EOC project, along with our staff. The County will be signing the property documents this afternoon.

He announced the 98th annual Fair & Rodeo coming up, one of the best rodeos in the area. There are lots of great volunteers and supporters, with a dinner to honor them scheduled for next Tuesday.

He gave a shout-out to the Fair Board and Friends of the Fair for the improvements that have been made and to the Warren Grange for the upgrades to the 4H Building.

There was no Executive Session held.

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

Dated at St. Helens, Oregon this 10th day of July, 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: _____
Henry Heimuller, Chair

By: _____
Anthony Hyde, Commissioner

By: _____
Cynthia Zemaitis,

Acting Board Office Administrator

By: _____
Earl Fisher, Commissioner

BOC Meeting

7/10/13

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