

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

October 9, 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 Jan Greenhalgh, 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 October 2, 2013 Staff meeting. The motion carried unanimously. The minutes of the October 2, 2013 Board meeting were carried over one week.

VISITOR COMMENTS:

None.

ORDINANCE NO. 2013-3: AMEND HSEMC FOR MEMBER APPOINTMENTS:

After a brief explanation on the need to amend the HSEMC Ordinance and, with no objection by the Board, Robin gave the first reading of Ordinance No. 2013-3, "In the Matter of Amending the Columbia County Homeland Security and Emergency Management Commission Ordinance to Appoint Members by Motion". For this ordinance to become final, the second reading will take place in two weeks on Wednesday, October 23, 2013, at or after 10:00 a.m.

HEARING: PORT OF ST. HELENS ZONE CHANGE APPLICATION:

This item is scheduled for 6:30 p.m as noted on the written agenda.

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 10/7/13.
- (B) Ratify letter to Ticor Title releasing funds to the Vernonia School District #47J from Escrow No. 73811005250A-TTCOL07.
- (C) Ratify Supplemental Escrow Instructions for Escrow No. 73811005250A.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (D) Amendment #24 to the 2011-2013 IGA #134305 with DHS and authorize the Chair to sign.
- (E) Amendment #1 to the Oregon Health Authority 2013-2015 Agreement #142058 for the Financing of Public Health Services and authorize the Chair to sign.
- (F) Approve the Justice Reinvestment Grant 2013-2015 Participation Agreement and authorize the Chair to sign.
- (G) Personal Services Contract with Community Action Team for 2013-2015 Healthy Start Program.

The motion carried unanimously.

COMMISSIONER HYDE COMMENTS:

Commissioner Hyde attended the Salmon Festival in Vernonia last weekend and he was amazed with the amount of salmon still coming up the river.

COMMISSIONER FISHER COMMENTS:

Commissioner Fisher attended the Clatskanie Safety and Health Fair last weekend. It was very well attended.

On Monday, there was a Jail Levy tour and a lot of the media took the tour and asked a lot of good questions. He appreciated the participation by those who attended.

Also on Monday, he attended the Columbia Advisory Council of our Columbia Pacific CCO. This is a group of local citizens that meet with the CCO staff to talk about the health care needs for this county. As we are all aware, the affordable health care program became effective on 10/1/13 and, in Columbia County, the sign up program appears to be very successful and been well received.

He met with the St. Helens Chamber of Commerce on Thursday to talk about the Jail levy and the Chamber went on record as supportive of the levy.

COMMISSIONER HEIMULLER COMMENTS:

Commissioner Heimuller reported on the annual Jail inspection by the Board last Wednesday. The media was also present and the Sheriff gave a full tour of the jail. Again, the Board is very impressed with the facility and the hard work put forth by the staff with the reduced funding.

Last Thursday, he was in Warrenton for the NOHA Board meeting. Over the course of the past several years and some negative situations, there has been a constant focus on bringing the credibility back, getting the finances in order and improving the program to be the best it can be. That hard work has paid off. A report was received last Thursday from the US Department of HUD, who oversees Section 8 program and the management & assessment program - a tool used to score all of the Section 8 programs around the country for compliance. NOHA's score for this year was 96 - out of 100. That's incredible news and he wanted to share that with the Board and give kudos to the NOHA staff. He noted that the press release will be forthcoming to all local media.

He spent the last 3 days at the Oregon Transit Association conference, representing both Columbia County and AOC. A lot of discussion was held on the federal government shutdown and how the interruption in federal funds has the potential to effect public transportation. A task force is being convened on Friday in Salem to talk about possible emergency funding in the event this shutdown continues.

The Board recessed the meeting at 10:20 am and reconvened at 6:30 p.m. at the Clatskanie Middle High School Auditorium in Clatskanie, Oregon. Present were Commissioner Heimuller, Commissioner Hyde, Commissioner Fisher, along with County staff Robin McIntyre, Jan Greenhalgh and Glen Higgins.

Commissioner Heimuller called the meeting back to order.

HEARING: PORT OF ST. HELENS ZONE CHANGE APPLICATION:

This is time set for the continuation of the public hearing “In the Matter of an Application by the Port of St. Helens for a Comprehensive Plan Amendment, Zone Change and Goal 2 Exceptions to Statewide Planning Goals 3 and 4 to Change the Zoning of 957 Acres from Primary Agriculture(PA-80) to Rural Industrial (RIPD) to Allow for the Expansion of Industrial Land at Port Westward (PA 13-02; ZC 13-01)”.

Commissioner Heimuller reviewed again how the hearing process will be conducted, emphasizing that testimony will be kept to a strict 3 minutes and that the Board is here tonight to take testimony only and will not be answering questions. The Board will take testimony until 9:30 pm at which time, if additional time is needed, the hearing will be continued again. Tonight the hearing will begin where it left off, starting with testimony in rebuttal and ending with the applicants final argument.

Robin McIntyre asked the Board if they have had any exparte contact since the last hearing on October 3, 2013. The Board all declared no exparte contact.

REBUTTAL:

John Cyrus, Portland & Western Railroad, 200 Hawthorne Avenue #C320, Salem: He is the General Manager for Portland and Western Railroad. He heard several people mention that the railroad is only responsible for 5% of the costs associated with rail upgrades that were going to be made. That is simply not the case. Portland & Western has, on their own, put in excess of \$9 million into the tracks. They have also been fortunate recipients of state and federal grants, such as the Connect Oregon program, which required a minimum of a 20% match - this in addition to their own capital spending. So again, he rebuts the comments made multiple times that P&W only pays 5% and the rest of the so-called burden falls to the taxpayers.

Commissioner Heimuller asked three times if there was any further rebuttal. Hearing none, it was now time for the applicant to give their final argument.

Gary Shephard, Oregon Land Law Legal Services, PO Box 86159, Portland: He is here representing the Port of St. Helens. The objection testimony revealed that many are uncomfortable with not knowing what the eventual use of this property will be. They alleged that the County and the Port are not being transparent and that by approving this zone change, it will make way for basically any and all uses to be funneled through the approval line without citizen input or county review. All of that is simply not true. This is a zoning application and designed solely for making the land available in a planning sense. This zone change is to address the regional and statewide shortage for large lot industrial land and to allow the county to be competitive on a global economic scale. At this time, the Port does not know who that user will be or when that will happen. He noted that until that time, this property will continue to be farmed. If and when an application is submitted, it will be subject to local review explained that HB766 does not take away local control over this decision making process. Another issue was farm compatibility and that fear is predicated on the unknown. Most of those who testified said that PGE is a good neighbor and is compatible with farm uses. So there are currently farms succeeding on resource industrial zoned land. With regards to rail, much of the objective testimony focused on their disfavor of rail transportation. The County's comprehensive plan recognized the importance of rail and the continued use of rail to the overall county economy and the county's effort to promote and meet multi modal transportation goals. He mentioned that all of the technical details and arguments are available in the record so he won't go through all of those at this time. In his almost 20 years of practice, he has never had to attend 6 hearings on one application and believes this is one of the most vetted applications he's been involved with. He thanked the Board for allowing all the opportunity to participate.

With no further testimony coming before the Board, *Commissioner Hyde moved and Commissioner Fisher seconded to close the hearing to oral testimony, leave the record open for 7 days for written testimony (10/16/13), allow the applicant an additional 7 days for rebuttal (10/23/13), with final argument due by Wednesday, October 30, 2013. The motion carried unanimously.*

Further, *Commissioner Hyde moved and Commissioner Fisher seconded to set deliberations on this matter for Wednesday, November 13, 2013, at or after 10:00 a.m., at the Columbia County Courthouse. The motion carried unanimously.*

There was no Executive Session held.

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

Dated at St. Helens, Oregon this 9th day of October, 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

BOC Minutes

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By: _____

Jan Greenhalgh

Board Office Administrator

By: _____

Anthony Hyde, Commissioner

By: _____

Earl Fisher, Commissioner