

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

June 18, 2014

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 Jan Greenhalgh, Board Office Administrator.

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 May 28, 2014 Board meeting; May 28, 2014 Staff meeting; June 4, 2014 Staff meeting; June 11, 2014 Board meeting; June 11, 2014 Staff meeting; and June 11, 2014 Budget Hearing. The motion carried unanimously.

VISITORS:

Richard Melton, 55141 Columbia River Hwy, Scappoose: He received a call from Seniors & Disability Services who has talked with State Police, etc., about what is happening to him. They told him he is 100% in the right and, as a disabled person, should not be harassed. He is a walking quadriplegic with a crushed brain - three surgeries in the last year.

Alta Lynch, PO Box 369, Scappoose: Alta wanted to compliment Commissioner Fisher on the comments he made last week - which bares repeating. It appears that only the minority seems to be heard because not all take the time, or can't take the time to attend

meetings. The Board of Commissioners hold an elected office and represents the voice of the people on issues that can drastically effect our lives. She knows of numerous who for what others are against and visa versa. She can accept what decisions are made as long as all laws and rules are followed. Again, she thanked Commissioner Fisher for his comments last week.

BUDGET HEARING FOR FY 2014-15 TO INCLUDE JAIL OPERATIONS LEVY:

This is the time set for the public hearing on the Columbia County Budget for FY 2014-15 to include the Jail Operations Levy revenue.

Jennifer Cueller, Finance Director, explained the only difference from the prior hearing is folding in the Jail levy and the additional 14 Jail employees. A public hearing must be held and a resolution passed to enable the county to impose the tax for the new levy.

The hearing was opened for public testimony.

With no testimony coming before the Board, the hearing was closed. Action will be taken at the June 25, 2014 Board meeting. The Board wanted to compliment Jennifer Cuellar and her staff for all of the hard work put into this years budget and the last minute changes due to the levy passing.

DELIBERATIONS: TODD & LIANA VIKEN FOR CONDITIONAL USE PERMITS:

This is the time set for deliberations, "In the Matter of the Application of Todd and Liana Viken for a Conditional Use Permit to Operate a Dog Kennel as a Type II Home Occupation in the Rural Residential (RR-5) Zone". The Board held a hearing on this matter June 4, 2014 and this is the date and time set to deliberate.

Commissioner Fisher commented about the amount of time the Board has spent on dog issues over the years. This kennel was one of the first he dealt with when he came into office back in 2008. These are important issues because peoples lives can be impacted.

He remembers the original hearing on this kennel and there were a lot of conditions put on that approval. The Vikens have complied with all of them. There have been no complaints about the noise of this operation. The Vikens have done a good job and brought a reputable business to this community. He can understand some concerns about dogs barking, but he is not ready to put a ban on dogs from our neighborhoods. He would agree that there should be adequate conditions to address neighbor concerns.

Commissioner Heimuller can also understand there are neighbor concerns. He drove out to Shamrock Lane and visited with a neighbor that was outside at the time. Just the normal sounds. He heard comments during the hearing about the size of the building and it being an imposing tin structure. He read through the entire application and can find no reference to a "tin" building in the plan. After talking with planning staff, he understands that a commercial building in this zone can be no larger than 4,000 sf with a height of no more than 35 feet. If this application were for a barn, it could be as high as 50 feet and put anywhere on the property as an authorized use - with no hearing. Again, he understands the neighbors concerns and would suggest that conditions be added to any approval that the building is soundproof at state building code levels. He would also hope that, as the design phase move forward, that this be an aesthetically pleasing structure.

Commissioner Hyde responded to a comment made during the hearing that he said, at the end of the hearing 8 years ago, "and don't come back". Quite a few things have changed since that time. For him, he has seen the proof of a business that has complied with all conditions since approval and is a responsible business with no complaints from the neighbors. Further, the Kennel Ordinance has been updated to allow for stronger enforcement of the rules. He would point out that, if you consider there are 35 homes in the area and each home is currently allowed 9 dogs per home without a kennel license.

That math equates to 315 dogs. Although that's not realistically going to happen, it makes the point of what is already allowed.

After deliberations, Commissioner Fisher moved and Commissioner Heimuller seconded to tentatively approve the application of Todd and Liana Viken for a Conditional Use Permit, with the 16 conditions (with a change in the language of condition #14) as recommended, and the added condition to soundproof the kennel building and direct staff to prepare the final order. Under discussion, Commissioner Heimuller agreed that the Board spends a lot of time mitigating animal related issues and this can often time create neighborhood distent and then after some time, all is forgotten. He would hope that is the case here. Commissioner Fisher also wanted to thank the Vikens for their cooperation with complying with all conditions the past 5+ years. With the vote taken, the motion carried unanimously.

CONSENT AGENDA:

Commissioner Hyde read the consent agenda in full. Item (H) was pulled and carried over to the afternoon Staff meeting. With no other 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 6/16/14.
- (B) 2014 Social Gaming License for Wayside Inn.
- (C) Order No. 21-2014, "In the Matter of the distribution of Proceeds Under ORS 275.275 [2014 Distribution: Gas & Land Sales]".
- (D) Order No. 22-2014, "In the Matter of Reimbursing the Vernonia Rural Fire Protection District Pursuant to ORS 275.275(2) [2014 Distribution - Mist Gas Field Revenues].

- (E) Order No. 23-2014, "In the Matter of Reimbursing the Mist-Birkenfeld Rural Fire Protection District Pursuant to ORS 275.275(2) [2014 Distribution - Mist Gas Field Revenues]".
- (F) Order No. 24-2014, "In the Matter of the Distribution of Forest Trust Land Revenues [2014 Distribution]".
- (G) Order No. 28-2014, "In the Matter of Authorizing the County Road Official to Perform Road Maintenance on a section of Zimmerman Road, a Local Access Road in Columbia County".
- (H) Resolution No. 1401 of the Northwest Oregon Transit Alliance, Regarding Contracting for Public Information Media Services. (*Pulled and carried over to the afternoon Staff meeting*).

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (I) Amendment #5 to the Intergovernmental Agreement between Columbia County and the City of St. Helens for Community Corrections work crews.
- (J) Amendment #1 to Law Library Lease between Columbia County and Columbia County Legal Aid.
- (K) ODOT 2014 Fund Exchange Agreement #29970 for Various Roads Asphalt Surface Preservation Projects.
- (L) Public Road Event Permit and Indemnity Agreement for the Group Health Seattle-to-Portland Bicycle Classic, July 12 and 13, 2014 and authorize the Chair to sign.
- (M) Public Road Event Permit and Indemnity Agreement for the Hood-to-Coast Relay, Portland-to-Coast Walk Relay and Portland-to-Coast High School Challenge Relay, August 22 and 23, 2014 and authorize the Chair to sign.

The motion carried unanimously.

COMMISSIONER HYDE COMMENTS:

Last Wednesday, Commissioner Hyde sat on the review committee for *ConnectOregon V* project applications. He has had the great opportunity to sit on all five of the Region 1 Connect Oregon programs. Columbia County faired very well - \$6.9 million which will help to fund dock improvements at Port Westward and improvements to "A" Street in Rainier - two very important projects for the safety and economy of this county. These recommendations will now go to the Oregon Transportation Commission who will have the final say on which projects are funded.

He attended the Vernonia School dedication last week. Now down to the final unveiling, with a list of many of those who put their heart and sole into creating a school system that is the first LEED Platinum K-12 school in the United States. Columbia County should be very proud of that. This is a \$40 million project at many felt could not happen, but it did.

COMMISSIONER FISHER COMMENTS:

Commissioner Fisher commented on the infrastructure of our country that is falling apart, i.e. the bridges, the highways, etc. He gives credit to our State for putting these Connect Oregon projects together. It's unfortunate that newspapers sometimes spin stories just to sell papers. "A" Street in Rainier has been an issue of concern for many years and the money from the Connect Oregon program is extremely important to this county and the Rainier community. It's unfortunate the way it was played out in the Oregonian. The Port Westward property has one of the last deep water ports on the Columbia River. This industrial property needs to be developed. He is glad to see that the Port is getting some help to improve those docks.

He felt it is worth commenting that the Board has held two budget committee meetings last week. No one from the public attended the St. Helens meeting and just a few people showed up at the one in Clatskanie.

He was in Salem last Friday for an AOC meeting on public health services.

Last Saturday he was able to meet with Representative Bonimici to discuss matters of a national level. A piece of legislation that is concerning to him is what's called the Water of the United States. If passed, it would mean that the water coming from your house, down the drain pipe into a ditch would be controlled and under the authority of the federal government. If the county needed to clean out a ditch, we would have to obtain a federal permit. These are the kinds of bills that people need to be aware of. NACo, AOC and others are opposed to this legislation and making sure the counties are being heard.

Last Thursday he attended the Rainier Chamber of Commerce meeting.

COMMISSIONER HEIMULLER COMMENTS:

Commissioner Heimuller commented on the recent loss of Scappoose City Council member Donna Gedlick. He attended her service on Saturday where she was honored for all of her years of community services. Our thoughts and prayers to the Gedlick family.

On Friday evening, he attended the National Guard town hall held at the Armory. The event was to held to brief those getting ready to deploy. He had the opportunity to talk

with a couple of the Commanders and some of the family members who will be effected. One spouse has seen her husband deployed 5 times.

RSVP is preparing for the upcoming My Fair Lady pageant, which will include a luncheon this year at the fairgrounds.

He reminded everyone that there is only 5 weeks until the Columbia County Fair and it promises to be the biggest and best event ever. Anyone wishing to volunteer in any way can contact the Fair office.

Commissioner Hyde also wanted to recognize the passing of Ron Hermo. Ron was long time supporter of the Sheriff's Search and Rescue program. He was also a father, grandfather and a genuinely a nice guy. Our thoughts go to both the Gedlick and Hermo families.

There was no Executive Session held.

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

Dated at St. Helens, Oregon this 18th day of June, 2014.

NOTE: A tape of this meeting is available for purchase by the public or interested parties.

FOR COLUMBIA COUNTY, OREGON

By: _____

Anthony Hyde, Chair

By: _____

Henry Heimuller, Commissioner

By: _____

Jan Greenhalgh

By: _____

Board Office Administrator

Earl Fisher, Commissioner