

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING
MINUTES

September 24, 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.

Commissioner Hyde introduced Brandon Clapshaw, a student at Vernonia High School, who is here today job shadowing for his senior project.

MINUTES:

Commissioner Heimuller moved and Commissioner Fisher seconded to approve the minutes of the September 17, 2014 Board meeting and September 17, 2014 Staff meeting. The motion carried unanimously.

VISITORS:

Richard Melton, Columba River Hwy, Scappoose: He is not here to go over his permit issue again. Instead, he wanted to comment on the criticism and the back stabbing he has endured from the Board. To comment on how stupid a person is who has a disability is not right. He agrees he is disabled but he isn't stupid. He has been battling for years to get drug coverage and the state and federal government won't tell him why he isn't getting it.

Commissioner Hyde suggested that Mr. Melton take advantage of the NACo Drug Prescription and he would be happy to get him a card.

William Adams, 175 N. 1st St. St. Helens: He has noticed that the city council agendas include all of the backup materials for their agenda items but the county doesn't do that. He asked if this is something the County could consider doing because it allows the public an opportunity to review and make informed comments if necessary.

PROCLAMATION FOR "CHILDHOOD CANCER AWARENESS WEEK":

Commissioner Hyde read the proclamation into the record, deleting one inaccurate statement.. After some comments, Commissioner Fisher moved and Commissioner Heimuller seconded to proclaim September 28, 2014 - October 4, 2014 as "Childhood Cancer Awareness Week". The motion carried unanimously.

COUNTY CREDIT RATING:

Jennifer Cuellar, Finance Director, was present to report that after a study by Moody's Investor Service of Columbia County's financial status, the negative outlook of our last credit review in 2012 has been removed. Columbia County retains its Aa3 rating. Of note, two of the three strengths highlighted by Moody's as the reason for the improved rating status are due to factors within the control of County administration as opposed to macro-economic factors. The difficult budgetary choices made by the County Commissioners; operational conscientiousness of County elected officials and managers; and partnership of the rank and file of the County workforce have all contributed to the following analysis from our rating update:

- Willingness on the part of management to make expenditure cuts;

- Positive financial operations expected moving forward. The two significant challenges noted in the report as drags on our financial position are both largely out of the control of County elected officials and employees;
- Uncertainty regarding receipt of federal revenues; and
- Elevated pension burden.

An entity's credit rating by one of the "big three" credit rating agencies, such as Moody's Investor Services, Standard & Poors, and Fitch Group) is an important analysis as it can have an impact on interest rates if the agency needs to borrow money or issue bonds. Moody's ratings range from Aaa to C. The County's Aa3 rating signifies that for long-term borrowings, it is rated as high quality and very low credit risk and "Prime-1" for short term borrowings. Although this is very good news, the county is still facing some financial issues such as furlough days and the decline of federal revenues.

Commissioner Hyde believes this to be the hard work of Jennifer and her department. We have a great team here with everyone pushing in the same direction. Commissioner Fisher agrees and appreciates the hard work by staff and the understanding and patience by the public. Commissioner Heimuller commented on these difficult times but how the staff has done a great job working through it and glad to see we are on the upswing.

HEARING: REVISED TITLE VI PLAN:

This is the time set for the hearing to solicit public input on the revised Title VI Plan. Janet Wright, CC Rider, was present to give the staff report. The Title VI Plan update is required by the FTA and ODOT. All transit agencies must update their Title VI plans to provide more clarity, accountability, transparency and consistency for compliance with the Civil Rights Act of 1964. The draft plan update has been reviewed by County Counsel, ODOT and the Citizens Transit Advisory Committee. CTAC makes the recommendation to the Board for approval. Copies of the plan update was provided to the five Senior

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Centers, notice was published in the local newspapers and it was posted on the CC Rider website for review.

The hearing was opened for public testimony.

With no testimony coming before the Board, there hearing was closed. Commissioner Heimuller moved and Commissioner Fisher tentatively approved the Title VI Plan update and directed County Counsel to prepare an Order for Board approval. The motion carried unanimously.

HEARING: APPEAL BY DON WALLACE ON TEMPLATE TEST DECISION:

This is the time set for the public hearing, "In the Matter of an Appeal by Don Wallace of the Decision by the Land Development Services Director that the Template Tests in TT 13-12 Does not Meet the Minimum Requirements of OAR 660-006-0027(1)(f) and Section 506.4 of the Columbia County Zoning Ordinance".

With regards to exparte contact, Commissioner Fisher reported that he drove out to the property to get an idea of the area. Commissioner Heimuller also visited the site and had a conversation with Tim Shear but he was very specific not to discuss this application. Commissioner Hyde has had numerous discussed with Mr. Wallace on many different issues. The Board declared no conflicts of interest.

Robin then read the pre-hearing statement into the record and entered County Counsel's hearing file along with the list of all items in the record, marked *Exhibit "1"*. She also entered the revised staff recommendation dated 9/23/14 as *Exhibit "2"* and the letter from Kim O'Dea of WREDCO, with the following attachments 1) Notice of Administrative Decision and Appeal Form; 2) Letter from Kim O'Dea dated 7/2/14; and 3) Letter from

Deborah Jacob to Don Wallace, dated 6/13/14 with attached Template Test Map, marked as *Exhibit "3"*.

Glen Higgins, Chief Planner, came before the Board to give the staff report. A Template Test application is a non-discretionary application allowing a decision from the Director, with no public hearing required. The Director's decision in this case was a denial of a request for approval of a forest dwelling based on whether or not the parcel upon which the dwelling is to be sited meets a template test. The template test involved required, in part, that there be at least 11 qualifying parcels within a 160 acre template surrounding the parcel on which the dwelling is to be sited. In determining the count of such parcels, the Director held that, if one or more of the other parcels in the template area to be counted had a property line adjustment after January 1 1993, the parcel may not be counted toward the required 11 parcels. The Director held that once the property line was adjusted, such parcels no longer exist and new parcels are created, having a date of creation after January 1, 1993. With that, the Director denied this application on 7/21/14.

On July 30, 2014, Don Wallace, on behalf of WREDCO, filed an appeal of the Directors decision. The Board took jurisdiction over this matter and set today to hear the appeal.

Glen then referred to the Revised Staff Recommendation dated 9/23/14. He explained that by adding the five qualifying parcels (not counted by staff at the request of the applicant) the results of TT 13-12 are: (3) dwellings prior to 1/1/93 and (12) parcels prior to 1/1/93. Based on the additional findings, staff recommends that the Board reverse the Planning Director's decision of July 21, 2014 and approve Template Test TT 13-12.

PROPOSERS:

Tim Scherer, Operations Manager of Weyerhaeuser Real Estate Development Company, He has been with Weyerhaeuser for the past 36 years. Last year, Weyerhaeuser acquired 1400 acres (700 in Oregon and 700 in Washington). They looked at land that had a higher better use than forest land. The process was identified and they moved forward with a template test and made application, which was denied. Now with the changes recommended by staff, unsure where to go from here. He believes they are

Don Wallace, President of KLS Surveying, 1708 Columbia Place, Vernonia: He has been surveying property in Columbia County for 26 years. It seems he can never get the same answer from staff in LDS. He referred to information on a prior application he found for a property line adjustment that used the template test - not being consistently applied. There should be clear and concise direction from the county. There are three difference interpretations by the county. The reason he asked for those 5 lots not to be included ??

Commissioner Hyde felt, at this point, the Board needs to address the appeal before them today, then hold discussions on the property line adjustments.

Tim wanted to add that staff told him that the only way to resolve their issue would be to appeal the decision. Now, at the 11th hour, after paying the appeal fee, staff has a reversed their recommendation for approval. They just want some reassurances from the Board.

OPPONENTS:

None.

With no further testimony coming before the Board, the hearing was closed for deliberations. With discussion, Commissioner Heimuller moved and Commissioner Fisher seconded to tentatively approve the staff recommendation to approve the application and direct staff to prepare the final order. Under discussion, Commissioner Heimuller commented that these applications should not be taking this long to process

and they need to be much more streamlined. He added that, because of the reversal by staff and that no appeal was actually needed, he would consider a request that the appeal fee be refunded. With the vote taken, the motion carried unanimously.

CONSENT AGENDA:

Commissioner Hyde read the consent agenda in full. Item (D) was pulled and held over. With no other changes/additions, Commissioner Heimuller moved and Commissioner Fisher seconded to approve the consent agenda as follows:

- (A) Ratify the Select to Pay for week of 9/22/14.
- (B) Order No. 38-2014, "In the Matter of Conveying Certain Real Property on Thompson Lane near Clatskanie, Oregon, to Thad and Amy Leigh Galloway [Tax Map ID No. 7N4W17-00-00600]".
- (C) Order No. 42-2014, "In the Matter of Adopting a Schedule of Fines for Building Code Violations Enforceable Under the Columbia County Enforcement Ordinance".
- (D) Order No. 43-2014, "In the Matter of the Approval of Appointment of Donald Clack as Elections Supervisor". (*Pulled and held over*)
- (E) Quit Claim Deed from Columbia County to Thad and Amy Leigh Galloway for property known as Tax Map ID No. 7N4W17-00-00600.
- (F) Appoint Randy Zuber to the At-Large position on the Solid Waste Advisory Committee for a three year term.
- (G) Appoint Rita Bernhard and Dave Crawford to the Jail Operating Citizens Advisory Committee.

The motion carried unanimously.

COMMISSIONER HYDE COMMENTS:

Commissioner Hyde attended the Columbia City celebration on Saturday and heard that it was the biggest celebration in their history.

He also attended the Sauerkraut Festival in Scappoose, another great event. He has heard that there may be a chance that this was not their final event.

On Monday, he worked with Georgia Pacific and one of the timber company's in Columbia County on a video with regards to their \$57,000 donation to the Vernonia School Project.

Yesterday, he was in the Business Oregon office along with representatives of the Governor's office to talk with some developers that are looking to site some significant businesses in Columbia County.

Last night, he attended the quarterly City/County dinner in Clatskanie. This is always a good opportunity to meet and network with the cities and Port to talk about what's going on in each of the communities in Columbia County.

He want to give a shout out to the Sheriff's office for a very busy week, starting with the demonstration out at Port Westward, which they handled very well and then the search and rescue efforts for a missing hunter. Unfortunately, the hunter was found deceased.

COMMISSIONER FISHER COMMENTS:

Commissioner Fisher wanted to thank the Sheriff's office for their work on both the demonstration and the search and rescue efforts, along with the help of the Search and Rescue volunteers who provides an important role for our Sheriff's Office. Our condolences to the family of the deceased hunter.

On Saturday, he attended the Columbia City Celebration and the Scappoose Sauerkraut Festival in Scappoose. He enjoyed the many activities going on at each event.

On Monday, he was in Salem for a Leadership program sponsored by AOC. This program looks at ways to work together in providing better leadership throughout the State.

He attended the Commission on Children & Families meeting. This group is waiting to see how the Early Learning Council structure pans out.

COMMISSIONER HEIMULLER COMMENTS:

Commissioner Heimuller welcomed Brandon, who is shadowing Commissioner Hyde and wished him well on this senior project.

In addition to attending the Columbia City Celebration and the Scappoose Sauerkraut Festival in Scappoose, he also attended the Community Action Team Board meeting and the Columbia County Farm Bureau meeting this week.

Our thoughts and prayers to the family of Diane Allen. Diane was a former long time Columbia County Road Department employee who retired a few years ago. She passed away on September 12th and he attended her service last Saturday.

Sue Reedy, who has been the Assistant Operations Manager at Columbia 911 Communications District and employed there for over 30 years, has decided to retire. Her retirement party is tomorrow at 12:00 noon at the 911 District Office.

There was no Executive Session held.

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

Dated at St. Helens, Oregon this 24th day of September, 2014.

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: _____

Anthony Hyde, Chair

By: _____

Henry Heimuller, Commissioner

By: _____

Earl Fisher, Commissioner

By: _____

Jan Greenhalgh

Board Office Administrator