

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

August 17, 2016

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 August 10, 2016 Board meeting and August 10, 2016 Staff meeting. The motion carried unanimously.

VISITOR COMMENTS:

Chris Brumbles, 64835 Deer Island Heights, Deer Island: He presented a draft of his proposed 2nd Amendment Preservation Ordinance for the Board to consider. He read a prepared statement regarding this ordinance that protects the inherent and unalienable rights of the citizens of Columbia County to keep and bear arms. The Governor has threatened to pass guns laws and she will not stop until we have California gun laws here. Salem is out of control and it has to stop. They are not representing the people, they are trying to lord and nanny over them. Our rights are not negotiable and not debatable. The goal for this ordinance is that you pass it as is or put it on the ballot to let the people decide. Gun control is not about guns, it's about control, plain and simple. He would plead with the Board to adopt this ordinance or let the people vote on it.

Rob Taylor, 935 Division Street, Bandon Oregon: He is the chief petitioner of the 2nd Amendment Preservation in Coos County where it passed with a vote of 64%. It just passed in Curry County and being and has been enacted in Wallowa County and Wheeler County for 3 years. He explained what this Ordinance does and how it preserves the right of the people of Columbia County to: 1) keep and bear arms as originally understood: in self defense and preservation, and in defense of one's community and country; 2) freely manufacture, transfer, sell and buy firearms, firearm accessories and ammunition, which are designed primarily for the same purposes. The people in Columbia County do resolve by this instrument that the Columbia County Government shall not authorize or appropriate governmental funds, resources, employee, agencies, contractors, buildings, detention centers or offices for the purpose of enforcing any element of such acts, laws, orders, mandates, rules or regulations, that infringe on the right of the people to keep and bear arms. He is asking that the Commissioners not force them to go out and get an initiative for the ballot.

Tom McKirgan, 56817 Fishtrap Road, Coquille: He is a retired police officer in Curry County. Our country is going through a lot of strife right now and moving toward a 1 world order. In working with different County Counsels in Oregon and their concerns with the constitution - those concerns have been taken care of. What good does it do to create more gun laws when the 20,000+ existing laws are not enforced. He stressed that no gun law will affect the criminals - never has and never will. He noted that the difference between a proclamation and an ordinance is that an ordinance has teeth and will protect the people.

William Crist, 32583 Stone Road, Warren: He moved to Columbia County in 2000. His statement is from a personal standpoint. He read the following into the record: He is a veteran from the US Army and he took an oath to defend the constitution and our country, both foreign and domestic and that oath is with him until he dies. He served to protect, not only the people, but the future of our children. The veterans out there are livid with what is happening with our 2nd Amendment. Because some of our veterans have been disabled, then labeled, they can't own a gun and that's not right.

Joe Lewis, 32115 Baumgardner Lane, Scappoose: He is here today to speak against this proposed ordinance. He inherited a gun and has no concern that someone will be taking it away from him. County decisions need to be made based on discussions with emphasis on compassion and cooperation and not on fear or intimidation. He believes this ordinance is unnecessary and unwanted by the people of Columbia County. He would very strongly not support this change to our laws in our County.

Dr. Margaret Trenchard-Smith, 29232 Huber Road, Scappoose: For the record, Ms. Trenchard-Smith read her prepared statement: *"I am a member of the Columbia County Coalition for Human Dignity and a professional historian. I am here today vehemently to oppose the attempt by Chris Brumbles and the Oath Keepers to gain a foothold in Columbia County. I see most situations from an historian's perspective, and recognize in Mr. Brumble's group, the Oath Keepers, a familiar pattern. I have made a deep study of the history of heresy and schism within the early Christian Church. The most destructive and divisive force within an established institution is that of sanctimonious zealots who hold themselves above its authorities and establish a counter-hierarchy, refusing to recognize its legitimate representatives. Ultimately, this poses a challenge to the institution that results in the creation of a separate institution or that ends in failure. Either way, it constitutes disloyalty and rebellion. Mr. Brumbles and the others are using the "2nd Amendment" issue both in earnest and as a wedge by which to crack open the legitimate structures of our local, state, and federal governments. Mr. Brumbles does this by attempting to de-legitimize our public officials and by publicly insulting our President. These are our elected representatives. The Oath Keepers, who hold themselves as "more patriotic than thou," are therefore essentially anti-democratic and anti-patriotic. They do NOT represent "We the People", as they claim—they hold the majority of the people in contempt and scorn the representatives whom the people have elected. In fact,*

they represent only themselves, their peculiar ideology and their own interests. Worse, they are attempting to set up a counter-hierarchy of likeminded Sheriffs and other office holders with whom they are in allegiance, and who are already harassing citizens whose views do not agree with their own. The language of the Oath Keepers is incendiary and their actions threaten peaceful and law-abiding citizens. Giving Sheriffs the authority to suspend state and federal laws is inherently anarchic and directly threatens us all. It's not just the slippery slope—it's careening to the bottom of the slope in one misstep. If every police officer already has the discretion to uphold the law, rather than suspend it at his or her discretion, as their proposal provides, ask yourself: What is this really for? If the Second Amendment protects gun ownership, what is their movement for? This is a larger, much larger, matter. What "Oath" needs to be kept besides an oath to uphold our Constitution and the Pledge of Allegiance? Perhaps these gentlemen, and they well may, fail to appreciate how greatly their initiatives compromise their loyalty to the United States of America. Commissioners, I am asking you resolutely to oppose this anti-democratic power play within our beloved county. Thank you".

Robert Gedlick, 455 "B" Street, Columbia City: He is a retired law enforcement officer. He has had four state troopers and a county judge come to his house numerous times with questions regarding federal law. He feels there is one proposal missing within the State of Oregon and that is if you commit a crime with a firearm, when it goes to court, it will be plea bargained away. He is a federally licensed dealer and during his tenure as a dealer, he has had to turn away 5 people. This indicates to him that the citizens of the state are complying with the law, the non citizens are not. He read Oregon Revised Statute "authority to regulate firearms".....His assumption is that to change anything in regards to weapons, a bill is going to have to be proposed before the state legislature and put it on the ballot in order to change the law. He thinks what needs to be changed is that there be a minimum sentence for committing a crime with a firearm and that it

cannot be plea bargained away. He would like the commissioners to follow through with a law that would prohibit people that misuse firearms from getting them. He wanted to add that any person that purchases a firearm and wants to ship it to someone, it must go through a federally licensed dealer and both people have to go through a complete background check.

Eloise Bates, 59536 Catarin St., St. Helens: She is here to address the proposed Ordinance that Chris Brumbles put together. He made a number of comments about our Governor Kate Brown. He states that he honors the constitution and our laws, but appears not to show any respect to our elected officials if they go against what he believes. She read the July 15 comments from Governor Kate Brown's legislation session - Oregonian's United to End Gun Violence.

Joanne Anderson, 64231 Hills Haven Avenue, Deer Island: For her, this isn't about gun laws or gun violence. She has a 30-45 minute law enforcement response time out where she lives and she wants to have a gun. She feels that the proposed ordinance is an end run to prevent something. She doesn't feel that it is threatening anybody or disrespecting anybody, she feels that it's goal is to stop something that is coming.

Elaine Nussbaum, 54729 Reed Road, Scappoose: She has lived in Columbia County for about 10 years and is a retired school teacher. She has been through numerous lock downs, real and not real. She has a real concern about her safety and gun violence. Nobody has talked about why we have these proposed regulations in our Federal and State government. She fears that someday she will be the victim of gun violence. We already have the 2nd amendment and the constitution and she doesn't see where anyone is taking those away. She feels that there are these conspiracy theories floating out there that people are wanting to take your guns away. She doesn't feel that this proposed ordinance is necessary.

Cheryl Van Domelen, 356 N. 2nd Street, St. Helens: She is the founder of the Facebook group, Columbia County Prepares. Her Facebook group likes to educate people and assume that they are prepared for the future. Owning a gun is part of being prepared. She feels that the Constitution and the 2nd Amendment are constantly under attack and being changed. She doesn't want her right of owning a firearm being threatened by something that could happen in the future. She wants that right protected. She supports this proposed ordinance.

Brady Preheim, 195 Clark Street, St. Helens: He supports gun ownership however, he is not in support of this ordinance. He has tried to get a copy of the proposed ordinance but has not yet received a copy. As for Chris's comments that it would cost the taxpayers hundreds of thousands of dollars, that is a lie. We don't need more protections than we already have.

Nate McGilvra, 35000 Kissel Camp Road, St. Helens: He wants to encourage the Commissioners to read through this and approve the proposed ordinance to protect the peoples rights. If it goes to a vote, he believes it would pass overwhelmingly.

Sean Demmings, 125 N. 16th Street, St. Helens: This is an opportunity for the Board to reaffirm the laws.

Michael Howard, 32823 Pittsburg Road, St. Helens: He is here today in opposition to this proposed ordinance. We are all free to interpret things as we want, but he feels this undermines existing laws that we already have. If someone doesn't agree with the law, it should be challenged through the courts.

Chris Brumbles, stated that he came here to talk about the ordinance and to defend the constitution, not to attack all the people there like they did to him.

With no further comments coming before the Board, they explained that no decisions will be made on this topic today.

CONSENT AGENDA:

Commissioner Hyde read the consent agenda in full. Item (F) was pulled for discussion and Items (D); (E) and (H) was pulled and carried 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 8/15/16.
- (B) Order No. 46-2016, "In the Matter of the Application by Brian Rosenthal for a Zone Change/Minor Map Amendment to Change the Zoning on a 2.3-Acre Parcel at 50861 Columbia River Highway from RR-5 to C-5 (ZC 16-02)".
- (C) Authorize the DA to fill one budgeted Victims Advocate position in the District Attorney's Office.
- (D) Create the position of Public Affairs Coordinator, approve the job description and assign to exempt salary range E04 and authorize Human Resources Director to begin recruitment to fill the vacancy. (***Pulled for Staff Meeting***)
- (E) Create the position of IT Manager, approve the job description and assign to exempt salary range E07 and authorize Human Resources Director to begin recruitment to fill the vacancy. (***Pulled for Staff Meeting***)

- (F) Ratify Infrastructure Finance Authority Project Notification and Intake Form for Columbia County Roads and Parks December 2015 Storm Disaster Recovery. *(Pulled for discussion)*

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (G) Agreement #31383 with the Rail and Public Transit Division of the Oregon Department of Transportation.
- (H) Personal Services Contract with Lower Columbia Engineering for Architectural and Engineering Services for the Rainier Transit Center. *(Pulled and carried over)*

The motion carried unanimously.

ITEM (F) - IFA INTAKE FORM FOR ROADS & PARKS:

Robin explained that the IFA Intake Form has been changed to eliminate the parks project as directed by IFA as that project does not qualify for IFA funding. The updated form is now ready for approval. With that, Commissioner Heimuller moved and Commissioner Fisher seconded to ratify approval of the updated Infrastructure Finance Authority Project Notification and Intake Form for Columbia County Roads and Parks December 2015 Storm Disaster Recovery. The motion carried unanimously.

COMMISSIONER HYDE COMMENTS:

Commissioner Hyde commented on the proposed Ordinance brought before the Board today by Chris Brumbles, however he hasn't had the opportunity to thoroughly review it. He is an advocate for gun rights. He is an elected official and he took an oath, however not just for what we heard today, we took an oath to abide by all the laws of the land. He is going to use that for his consideration for the ordinance that is being proposed.

COMMISSIONER HEIMULLER COMMENTS:

Commissioner Heimuller also commented on the proposed ordinance. He wanted to remind everybody that they had this same discussion a year and a half ago when Mr. Brumbles brought a similar ordinance before the Board. We are gun owners and sportsmen. He absolutely supports the 2nd Amendment and, in fact, the Board took formal action by Order last year to support it. On the record, he felt that there were parts to the ordinance that were hard to understand. With respect, realize that the Board is just as passionate about the constitution as everyone else in this room.

COMMISSIONER FISHER COMMENTS:

Commissioner Fisher was over at the Corrections Office this morning. Last week there was an incident at their probation office. They had a client come in that was obviously very high on meth and they had to do something with him. He was a danger to the people in those offices. It took 5 police officers and a probation officer to get him under control and get him to where he needed to be to get some help.

A brief comment on the Sheriff's Auction taking place today to sell some of the county owned property.

As for the 2nd Amendment discussion today, he has read the constitution over and over many times and never has he seen the term "Sherif" in there and, frankly he doesn't even understand what Chris and others are talking about. The Sheriff does not interpret the Constitution, the Supreme court does. All of that said, he appreciates the people coming forward to speak to this issue. Unfortunately at this point, he would recommend this go to the voters.

There was no Executive Session held.

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

Dated at St. Helens, Oregon this 17th of August, 2016.

NOTE: An audio CD of this meeting is available for purchase by the public or interested parties. A video of the meeting is also posted on our website at www.co.columbia.or.us

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____

Anthony Hyde, Chair

BOC Meeting

8.17.16

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By: _____

Jan Greenhalgh

Board Office Administrator

By: _____

Henry Heimuller, Commissioner

By: _____

Earl Fisher, Commissioner