

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

December 7, 2016

The Columbia County Board of Commissioners met in scheduled session with Commissioner Henry Heimuller and Commissioner Earl Fisher, together with Sarah Hanson, County Counsel and Jan Greenhalgh, Board Office Administrator. Commissioner Hyde was not present.

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

MINUTES:

Commissioner Fisher moved and Commissioner Heimuller seconded to approve the minutes of the November 30, 2016 Board meeting and November 30, 2016 Staff meeting. The motion carried unanimously.

VISITOR COMMENTS:

None.

CONSENT AGENDA:

Commissioner Heimuller read the consent agenda in full. With no 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 12/5/16.
- (B) Order No. 68-2016, "In the matter of Conveying Certain Real Property In Scappoose, Oregon, to Richard A. Squires Brenda S. Squires Tax Map ID No. 3N2W13-AD-04501".
- (C) Order No. 70-2016, "In the Matter of Amending the Policy for Waiving Transfer Station Tipping Fees to Include Qualified Nonprofit Organizations Involved in the Collection of Donated Goods".
- (D) Order No. 71-2016, "In the Matter of Adopting a Policy for Cash Handling".
- (E) Resolution No. 72-2016, "In the Matter of Creating the General Services Department and Authorizing Supplemental Budget Appropriations for Fiscal Year 2016-2017".

- (F) Order No. 73-2016, "In the Matter of Reimbursing Public Agencies In Columbia County for the Cost Impacts of the Hood to Coast Relay and Returning Remaining Deposit".
- (G) Order No. 74-2016, "In the Matter of Amending the Rules and Regulations and Fee Schedule for Columbia County Forests, Parks, Beaches, Docks and Other Recreational Facilities Subject to Ordinance No. 94-9".
- (H) Order No. 75-2016, "In the Matter of Accepting the Dedication of Additional Right-of-Way along Dutch Canyon County Road, Scappoose, Oregon, from the City of Scappoose".

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (I) Amendment to Contract with Lakeside Industries, Inc. for Scappoose-Vernonia Overlay and Apiary Road Overlay.
- (J) Quitclaim Deed from Columbia County to Richard A. Squires and Brenda S. Squires Tax Map ID No. 3N2W13-AD-04501, authorize Chair to sign.
- (K) Dedication Deed from the City of Scappoose to Columbia County for Additional Right-of-Way along Dutch Canyon County Road Scappoose, Oregon.

The motion carried unanimously.

COMMISSIONER HYDE COMMENTS:

Not present.

COMMISSIONER FISHER COMMENTS:

Commissioner Fisher wanted to remind people that the weather and road conditions are going to be bad the next couple of days, so please be careful and drive safe.

He wanted to thank all of those who put together the farewell event yesterday for himself and Commissioner Hyde and to all those who attended.

COMMISSIONER HEIMULLER COMMENTS:

Commissioner Heimuller reported that Commissioner Hyde was in Washington, DC last week and this week he is attending the NACo Board of Directors meeting in Florida. He continues to work to the end in support of Columbia County.

He commented on the events held yesterday for Commissioner Hyde and Commissioner Fisher. It was a great time, good stories and fellowship. Thanks to those who put the events together and to all of those who came by to wish them both well.

Today is the 75th anniversary of the attack on Pearl Harbor. On the news this morning, there was a 104 year old survivor of that attack who is in Hawaii to attend the memorial services. He hopes to go back for the 80th anniversary. We should all take the time to remember those who survived the attack and those whose lives were lost.

EXECUTIVE SESSION UNDER ORS 192.660(2)(a)(d):

The Board recessed the regular session to go into Executive Session as allowed under ORS 192.660(2)(a)(d). Upon coming out of Executive Session, Commissioner Fisher moved and Commissioner Heimuller seconded to deny the grievance filed by Patsy Sadler over a written reprimand. The motion carried unanimously.

STAFF UPDATE ON NW AGGREGATES ZONE CHANGE:

Todd Dugdale and Robin McIntyre were present to update the Board on the NW Aggregate Zone Change. The record was closed after the public hearing on this matter held October 26, 2016. At the request of the Scappoose Drainage District, the Board voted to reopen the record to written testimony, with final arguments due by the applicant on 12/13/16. At this time, Todd reviewed the arguments raised after the record was reopened and staffs recommended revisions to the original conditions.

- Todd wanted to address a question asked by the Board regarding post mining use of the site. The applicant had proposed the post mining use be for water impoundment and the Board had asked for some elaboration on that. Because the county can, and should, designate post mining use, staff is recommending that the post mining use be for fish and wildlife habitat and that an actual plan be developed and submitted during the site design review process.

- The Board heard a lot of testimony on the possible impacts on the Scappoose Drainage District pumping operations and the question of seepage of water into the drainage system and what would need to be pumped as a result of the mining. Hydrologists have addressed that issue on both sides but the question is whether or not there would be additional pumping costs due to any increase in seepage of water, increased engineering for new drainage analysis - these are questions raised by the Scappoose Drainage

District. The SDD had requested that the written record be reopened to allow responses from the Army Corp of Engineers to answer some basic questions about whether or not the mining proposal would trigger a new or updated interior drainage analysis in conjunction with the levy evaluation process that is ongoing under FEMA's re-accreditation schedule. With the reopening of the record, the Board has a copy of the report from Jim Burton with the Corps of Engineers. Their response is that if NW Aggregates starts mining (in 10-15 years), during a 10 year recertification cycle, the Corp would likely require an updated interior drainage analysis . Todd noted that because of the development taking place in the drainage district, there will most likely be required to do a reanalysis regardless if there is any mining or not. So, as he understands, there should be no negative fiscal impact on the Scappoose Drainage District as far as recertification. Additionally, the report states that this proposal has the potential to cause additional water that the drainage system has to pump. The Corp is recommending that there be a seepage analysis to determine if mining is adding water to the system. In the applicants additional testimony, elaborates a significantly enhanced monitoring program. Staff will be suggesting some conditions addressing that issue. Todd submitted and reviewed a recommended Condition 24 that includes some very specific components of the enhanced monitoring program, basically verbatim to the report submitted by Golder Associates.

- On another topic, concerns were brought up about the well on the Olsen's operating farm and how that might be impacted. They want NW Aggregate to monitor their well. Todd would suggest that the well owner do a base line monitoring and then continue with periodic testing. If the water degrades enough to effect water quality standards, then that could be a trigger. Commissioner Fisher stated that just because a well goes bad, it doesn't mean it is due to the mining. Todd stated that is a potential condition that can be added.

- The Scappoose Drainage District also expressed concerns with the surface mining impact overlay district. That is a standard requirement of Goal 5 to prevent conflicting uses from locating in an area, typically within 1,500 feet. That concern has been addressed.

- Lastly, there was testimony received from Mary Duvall, who expressed concerns over loss of farmland and global warming. Daryl Whipple also submitted testimony with concerns over climate change and greenhouse gases. With regards to greenhouse gases, Todd checked with DEQ Air Quality Dept to determine what guidelines would be applicable to a use such as mining. The existing Santosh operation is subject to what's called a Standard Air Quality Permit, which they've had for many years. Those rules and regulations would apply to the additional mining operation. So that concern is addressed through the EPA and DEQ rules and Condition 30 in the staff report.

Robin then reviewed the process. The Board will be deliberating on the matter next week, 12.14.16. Staff will prepare the revised recommendation that deliberation. The Board will then take action on the final ordinance on 12.21.16. Commissioner Heimuller

asked about Condition 24 and the additional monitoring. Is there any language included that, if in fact, the monitoring does recognize an impact to the drainage district and their pumping ability, that those costs will be covered or mitigated by the applicant. Todd confirmed that that recommendation was included in the original staff report.

ST. HELENS URBAN RENEWAL PLAN:

Present for discussion were: Jennifer Cuellar, Finance Director, Sue Martin, County Assessor, along with Lorelei Juntunen of ECONorthwest, Nick Popenuk of Tiberian Solutions and John Walsh with the City of St. Helen's.

Jennifer explained that the City of St. Helens has a fairly tight timeline of getting feedback from the county on boundaries and projects.

John Walsh stated that, back in 2008, the city worked to establish an urban renewal agency and developed a plan, but due to a variety of reasons, the plan was never implemented. Since that time, the city has worked diligently on planning and getting known things that need to happen, i.e. transportation improvements, public amenities, general site readiness and economic development efforts. In 2011, the city updated their transportation system plan, identified a number of projects and worked with the State on a number of funding opportunities. Along with all of that, came the opportunity for the city to acquire the Boise property. John has been working with both Lorelei Juntunen and Nick Popenuk on the details of the boundaries and specific projects.

Lorelei is excited to be working with the city on this next step in what has been a long road in preparation in determining how to make improvements along the corridor, the venire site and along with water front. This is the first of many "listening" tours they are conducting with the overlapping taxing districts, just to make sure that these districts understand what the city is intending to do, and to allow for early feedback from those districts. There are a couple of initial issues they are looking for feedback on from the county, specifically the boundary and the projects. As Jennifer noted, there is a tight timeline and referred to the schedule at the bottom of the memo to the Board. If all goes as planning, there will be a plan and a report ready for adoption in June. Because of all the work the city has already done on this, they have a pretty good idea of what the boundary will look like (map included in the handout). Lorelei is asking for feedback from the county on the boundary map and the four big projects: transportation, access and safety into and through downtown, storefront improvement, public access along the waterway and economic development. The St. Helens Urban Renewal Plan Advisory Committee will be prioritizing the list of projects. At this point, she would ask for any comments from the Board.

Commissioner Fisher doesn't have a list of comments at this time. Commissioner Heimuller had a question, after review of the boundary map, why a certain neighbor is not included. The short answer is that the area is residential and the longer answer is that urban renewal boundaries should be designed so that all of the projects are contained in them. If there are no urban renewal projects in the residential areas, there is no good reason to have it included in the boundary. There is also statutory limits on the portion of a jurisdiction that can be inside of the urban renewal area. Commissioner Heimuller also asked why such a tight timeline. John answered that it's mostly project momentum and to keep this front and center. Commissioner Heimuller commented that, although he hasn't fully evaluated the projects, there are a lot of areas in St. Helens that would benefit from streetscaping, lights, general improvements such as walkways, parking and paving. The county definitely wants to be at the table on this and glad to see that Jennifer Cuellar is on the advisory committee.

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

Dated at St. Helens, Oregon this 7th day of December, 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: Not Present
Anthony Hyde, Chair

By: _____
Henry Heimuller, Commissioner

By: _____
Jan Greenhalgh
Board Office Administrator

By: _____
Earl Fisher, Commissioner