

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

November 29, 2017

The Columbia County Board of Commissioners met in a scheduled session with Commissioner Henry Heimuller, Commissioner Margaret Magruder and Commissioner Alex Tardif, 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 Tardif moved and Commissioner Magruder seconded to approve the minutes of the November 22, 2017 Board meeting and November 22, 2017 Staff meeting. The motion carried unanimously.

VISITOR COMMENTS:

John Phillips, 13369 Keasey Road, Vernonia: On his way over the hill this morning, he noticed how nice the Scappoose Vernonia Hwy roadway is. He wonders when work will start on Keasey Road. The entire road is in very poor condition and some of it is starting to slide into the canyon at Cedar Road. Commissioner Heimuller will forward this information to the Road Department and get back to Mr. Phillips with some answers.

Tammy Maygra, 34319 Caanan Road, Deer Island: Years ago she came to a meeting to fight the proposal to shut down a park down at Laurelwood in Lindberg. She worked with Joe Corsiglia, when he was Commissioner, to get that park opened again. She also spoke with Commissioner Heimuller about this because the park is still closed. The county is in violation of the agreement that was on the piece of property. The road is actually part of the property. The deed states that if it is closed off, the property reverts back to the prior owner. She knows that P&W Rail has raised concerns about people crossing the tracks, however, the deed from the 1800's states that if the railroad was given access to go through there, there would be perpetual use to cross the railroad tracks to get to the river. She believes the county has been negligent in closing this area without reviewing their old files. The deed is in County Counsel's office.

Secondly, she asked if there had been public notification of the Oil & Gas Auction (Item H on the consent agenda). Jan Greenhalgh noted that public notice was published in the Chronicle. Tammy asked that, before the Board approves the consent agenda, that the Board explain the purpose of Order No. 81-2017.

DELIBERATIONS: PORT WESTWARD ZONE CHANGE:

This is the time set for deliberations, "In the Matter of the Application by the Port of St. Helens for a Comprehensive Plan Amendment, Zone Change and Goal 3 Exception to Reclassify And Rezone Property from Primary Agriculture(PA-80) to Resource Industrial Planned Development (RIPD) for an 837 Acre Expansion of Port Westward on Remand from the Oregon Land Use Board of Appeals".

Commissioner Magruder: She has a long history with this piece of property and a long history with land use planning. In the early 1900's, her grandfather came here to reclaim somewhere between 10,000 and 14,000 acres. Her family has farmed in the lower Columbia for over 100 years. On the land use side, back in 1969, Senate Bill 10 passed, which was the beginning of land use planning in the State of Oregon. She spent a lot of time researching that bill because she did her college senior paper on it. Land use planning was brought to Oregon to create a process to develop land and make decisions in an equitable way, with public involvement. In 1973, Senate Bill 100 created the Land Conservation Development Commission. In order to address farm land, Senate Bill 101 was also passed in 1973. In all her time reviewing this current application, she keeps going back to that initial legislation. She believes that the intent of the land use law, was not to be an obstacle but a guide. She believes that this Board has taken the time to study this application and will make the appropriate decision.

Commissioner Tardif: He is on the other side of that coin. He did not grow up living the creation of land use. He grew up with the rules and regulations already in place. He believes that the county has done a good job following the process and allowing everyone to speak their minds on this application. His decision is not being made lightly and it has been extremely hard on him because the Board has a mission set forth to protect our farm and forest, but they also have a mission to promote economic development. How do we balance those two competing interests?

Commissioner Heimuller: The rezoning of Port Westward has been going on for a number of years. As many in the room that were present the last time this came before the Board, they know he was supportive of the application and he will be again today. The Rural Planned Development designation, if this passed, still requires the land be used, or allowed to be used, as farm and forest unless it is developed. In the documentation, it is clear to him that this property is unique. The property is directly adjacent to the Port Westward site and that site has a dock that can accommodate ships. All the transportation infrastructure that is needed is already there to ship goods out. This would help the economy, and not only Columbia County but also the State of Oregon. There is no doubt that this is high value farm land but in his mind, this property has a higher value and that is the value of being used by the Port of St. Helens to be able to create high paying jobs and those projects that help boost our economy. All of that said,

the development out there will have safeguards. There are number of conditions that staff has proposed. One thing being discussed is access to the dock facility and the fact that the dock facility is under the lease with PGE. He is convinced that all the paperwork is in place to allow access to the dock. Commissioner Heimuller read from a letter from the Road Engineer at ODOT that states, in part, "the proposed land use change would not cause a significant effect on the surrounding transportation system".

The original application on this rezone was remanded back to the County for a revision to the application to address the deficiencies and he feels the Port has done that. We have to move into the future as far as what is the best use of that land. He saw in last weeks paper that PGE is proposing a new hybrid plant and we anticipate that, down the road, they will want to build another full power plant out there. He also read the disturbing news that Armstrong World Industries will be closing its doors next year. The County always has to be looking for future opportunities because businesses come and go. In closing, the staff report states that any proposed uses in this new industrial zone will need to be compatible with both the adjoining uses, ag and industrial.

Commissioner Magruder: She finds it interesting, having farmed the lower Columbia for almost 70 years, agriculture has a great importance, agriculture is a very difficult profession. There are 12,000 acres of agricultural land in this area. However, very little of it in the last 25 years has been used as productive agricultural land other than the growing of hybrid poplars. Commissioner Heimuller had pointed out that the conditions that are being proposed, are going to take into consideration, the need for agricultural production and compatibility with any future industry in that area. We need to look to the future, use the Columbia River which is a vital transportation line for us. It is currently underutilized in Columbia County. She is supportive of this rezoning.

Commissioner Tardif is hearing that we need to look toward the future, but for him, we're looking at the past. We continue to look at fossil fuels and industry to carry us into the future. We are in the imagination era, heading into the intellectual era and to rezone 1% of our remaining farmland into industrial, is not looking to the future in his opinion. He appreciates the process that we have gone through and he has learned a tremendous amount and heard testimony on both sides of this issue, but at the end of the day when we talk about our future, he doesn't see this as our future. He sees this as looking at our past and carrying it forward into an era that is dying - the industrial era is dying. He cannot support this rezone application.

After discussion, Commissioner Magruder moved and Commissioner Tardif seconded to tentatively approve Application No. PA 13-02/ZC 13-01, as modified to address issues on remand, subject to the conditions in the July 26, 2017 Staff Report, as revised by the September 1, 2017 Supplemental Staff Report. Commissioner Tardif opposed. The motion carried.

CONSENT AGENDA:

Commissioner Heimuller read the consent agenda in full. As requested, Commissioner Heimuller explained the purpose of Item (H), which allows the County to hold an auction for leasing the oil/gas rights in Mist, for which the County receives the royalties. With no changes/additions, Commissioner Tardif moved and Commissioner Margaret seconded to approve the consent agenda as follows:

- (A) Ratify the Select to Pay for the week of 11.27.17.
- (B) Ratify Partition Plat for Scott Parker.
- (C) Ratify Partition Plat for OHM Equity Partners, LLC and Sass Enterprises, LLC.
- (D) Approve Personnel Action for Holly Miller.
- (E) Authorize the County Assessor to promote two current Assessment Clerk I positions to Assessment Clerk II positions.
- (F) Reappoint Ted Richardson, Steve Simpier and Jack Sweeney to the Columbia Drainage Vector Control District Board, terms to expire December 31, 2021.
- (G) Reappoint Scott Russell to the 4H & Extension Service Budget Committee for a three year term.
- (H) Order No. 81-2017, "In the Matter of Leasing County-Owned Oil and Gas Production Rights in the Mist Gas Field Setting Auction Date, and Terms, Conditions and Regulations".
- (I) Notice of Public Auction of County-Owned Oil and Gas Production Rights in the Mist Gas Field and authorize the Chair to sign.

The motion carried unanimously.

CONTRACT WITH ST. HELENS SCHOOL DISTRICT FOR EOC PRESENTATION:

Steve Pegram, Emergency Management Director, was present to request approval for a contract with the St. Helens School District, for a presentation at 6:00 pm tonight at the St. Helens High School auditorium. There will be a screening of an OPB movie "Unprepared", about 1 hour long, with Q&A afterwards. This is information on how the

Cascadia subduction zone event will impact us here in Columbia County and what we can do to prepare ourselves. It is not a matter of “if”, it’s a matter of “when”. With that, Commissioner Magruder moved and Commissioner Tardif seconded to approve the application and contract for Use of St. Helens School District Facilities. The motion carried unanimously.

COMMISSIONER HEIMULLER COMMENTS:

Commissioner Heimuller will be attending the O&C meeting Thursday and Friday in Eugene.

The Toy & Joy Auction will be held this Saturday night at the Fairgrounds. Tickets are still available. This is a fundraiser to collect food, clothing and toys for those in need in South Columbia County. He would encourage those who can to come enjoy the evening and bring your check books.

He and Commissioner Magruder attended the Clatskanie Kiwanis fundraiser event in Clatskanie a couple of weeks ago.

COMMISSIONER MAGRUDER COMMENTS:

She enjoyed a great Thanksgiving with her kids and grandkids.

Last night, she attended the City/County Dinner meeting at Warren Country Inn, hosted by the City of Scappoose. Chuck Daughtry, CCET, gave a report on many of the positive things happening in Columbia County.

She will be in Eugene to attend the Oregon Sheep Growers convention on Thursday and then attend the O&C meeting in Eugene on Friday.

COMMISSIONER TARDIF COMMENTS:

No comments.

There was no Executive Session held.

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

Dated at St. Helens, Oregon this 29th day of November, 2017.

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: _____
Henry Heimuller, Chair

By: _____
Margaret Magruder, Commissioner

By: _____
Jan Greenhalgh
Board Office Administrator

By: _____
Alex Tardif, Commissioner