

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

December 6, 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 Jacyn Normine Board Office Specialist.

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 29, 2017 Board meeting and November 29, 2017 Staff meeting. The motion carried unanimously.

VISITOR COMMENTS:

Don Campbell 75735 Price Road Rainier, OR. Don is here today to give an update on Deer Pointe Meadows Mobile Home Park. The system is failing and flooding neighboring properties. After talking to the representative at DEQ, he has found out that they are allowing the park to move forward to put 12,000 gallons into the system but have not moved forward with any of the requirements to treat it. There is no way the system is fully functional. Commissioner Heimuller asked Don if he has had any communications with Erin or Todd from LDS. Don responded he had spoken with Erin, but the long and short of it is this is DEQ's issue. It is not the highest priority for DEQ and Don has offered to pay for the dye testing. DEQ is not following through to protect the community.

Tammy Maygra 34319 Canaan Road Rainier OR. Tammy has been to the County several times to talk about garbage on Schaff Road. The property owner has been fined and still the garbage is there. This time of year, the stream is rising, garbage is washing down the stream. She wanted to bring this to the attention of the Board as it is a big concern.

HEARING: PROPOSED INSTALLATION OF GATES ON LAWRENCE ROAD:

This is the time set for the public hearing to solicit input on the request to install 2 gates on Lawrence Road, Deer Island, Oregon.

Dave Hill, Public Works Director, gave a brief description of this request and submitted photos of the area, his recommendations and some gate options. Lawrence Road is off Canaan Road, and the gravel section is very steep and narrow. The Road Department

has been approached to install gates on the road by the residents to keep the public from traveling on this section. The purpose of this hearing is to get feedback from the property owners and/or others. Letters were sent out to all the property owners, all agreed to installing the gates, except Mr. Gross, expressed his concern that this would reduce the value of his property. Dave noted that, if the county were to allow gates on the road, the State Statute allows for requirements. He would suggest that the owners pay for the gates and installation, the gates should be steel, 16 feet in width, self supporting, 3 rails minimum, reflective tape and any locks are approved by the Fire Department. The Fire Department would also like to have "Fire Gate" signs on the gates.

Commissioner Heimuller asked John Troiano if his access was off Canaan Road? He wants to make sure that John had adequate access to his property. John replied "yes".

Robin McIntyre addressed the State Statutes that allow the Commissioners to allow permits to construct the gate, and allows the county to establish conditions of the road, and that it is maintained and preserved. Today is to simply take public input.

John Troiano 344001 Canaan Road : John explained that there have already been two police chases down Lawrence Road, Dennis Gross being one of them. John submitted photos taken by a game camera in 2013, showing traffic on Lawrence Road at all hours of the night. He also submitted photos of the Gross property with a camper that does not run and has tenants.

Bill Etter 32976 SW JP West Road Scappoose: He owns undeveloped property on Lawrence Road. Drawing a diagram on the white board, he described the access points to Lawrence Road. Explaining that Lawrence Road has dead end signs, but the road has an access at both ends. If the steep narrow road, that is more of a trail than a road, cannot be improved, and they already have a nuisance on this road, it needs to be determined where the dead end is. He stated that the reason he did not buy the Gross property is because the property line is in the middle of Canaan Road. That is why he purchased further up Lawrence Road.

Tammy Maygra, Canaan Road, Deer Island: She would like to see a barricade on the lower half of Lawrence Road, to help keep the squatters out and if the road is unsafe just stop traffic all together.

Commissioner Tardif expressed concerns with having a barricade at the bottom of Lawrence Road - if someone gets down to the bottom of the hill, how would they turn around? John stated that there is currently no barricade and cars still go off the road.

Dave Hill talked about the Gross property, states that two gates should be installed, versus one gate and a barricade so it could be accessible if necessary. Possibly put the gate right past the Gross property so he still has access to his property.

Commissioner Heimuller addressed fire safety and that we would not want to restrict access in case of an emergency.

Commissioner Tardif noted that if the gate is installed after Mr. Gross' property on the lower end and another gate is installed past his property on the upper end, Mr Gross would not need a key to the gate. Dave said that with the road the way it is, it is better for him to go the other way around.

Ed January, 3424 Lawrence Road, Deer Island: He thinks that the gate should go in past the Gross' property, before the Shaver property, and would prefer not to put a barrier at the bottom of the road in case the road does need access. It is used when there is an accident, or Canaan Road is closed for some reason. He stated that Mr. Gross does not want the gate, and by putting it in front of his property, we would just upset a neighbor that does not need to upset.

Commissioner Heimuller asked about the cost of all of this and has it been discussed who is going to pay for the gates? There will be on-going maintenance costs with these gates and those issues need to be addressed by the neighbors.

Tammy Maygra asked if the neighbors install the gates and someone damages it, who is responsible for repairs? Robin stated that the permit holder would be responsible to uphold insurance on the gates. Tammy feels this is a public service and that the county should put this under their umbrella policy.

Bill Etter: Tammy brings up a good point on Lawrence Road that he would like to add to. Bill wanted to put a driveway onto his property, and the county requested that he put an additional 8-foot easement on his property. So he now has about 16 feet of improved gravel road that he paid for out of pocket. There have been improvements, not only by himself, but by the other property owners. We are using private funds to maintain this road. He agrees that the county should cover the liability cost for the gates on this county road.

Rory Hammond, 4910 Darlings Loop RD. Florence OR. -Rory feels that the liability should not go back on the property owners.

Walt Shaver 34395 Lawrence Road, Deer Island: As for the barricade, you cannot have it at the bottom of the hill, because there is no backing up. The barricade needs to be higher up past the Gross' property. Personally, he doesn't want a barricade to be installed. The gate is going to save the county a ton of liability on potential accidents. The property owners should not have to be responsible for liability insurance on the gates.

Don Campbell, Price Road, Rainier: Signs are important. If signs are posted, it should indicate that Google might be wrong. If there are illegal activities, the home owners should not be liable to install a gate, the sheriff should be dealing with those issues. He feels that a gate would cause additional issues and a barricade would definitely cause more problems. He would hate to see these things imposed in his back yard.

Tammy Maygra - If the installation of the gates are approved by the Board, we need to determine who would have to obtain the liability insurance.

Commissioner Heimuller stated that it would be part of the negotiation.

With nothing further coming before the Board the hearing was closed.

Robin would recommend that Dave Hill work with the property owners, to nail down the locations, including how to address the liability, and any other issues, then bring back before the Board for action.

When asked, Tammy said that the homeowners will have a discussion and decide who, if not all, will be working with Dave Hill. They will come back in front of the Board for approval.

CONSENT AGENDA:

Commissioner Heimuller read the consent agenda in full. With no changes/additions, Commissioner Magruder moved and Commissioner Tardif seconded to approve the consent agenda as follows:

- (A) Ratify the Select to Pay for the week of 12.04.17.
- (B) Approve Personnel Actions for Casey Garrett.
- (C) Approve Personnel Action for Justice of the Peace Wally Thompson.
- (D) Reappoint Lynn Chiotti, Henry Heimuller, Norm Miller and Michael Ray to the Columbia County Traffic Safety Committee, terms to expire 12.31.19.
- (E) Reappoint Jeff Peterson, Luke Schwartz and Jay Tappen to the Columbia County Traffic Safety Committee, terms to expire 12.31.20.
- (F) Appoint Alta Lynch to replace Audrey Webster on the Traffic Safety Committee, term to expire 12.31.18; Dave True to replace Steve Constans term to expire 12.31.19; and Shelley Hennessy to replace Dave Carpenter term to expire 12.31.18.

- (G) Order No. 77-2017, "In the Matter of Filing a Lien for Unpaid Civil Penalties by Brian Richards for a Continuing Building Code Violation at 52580 Bird Road, near Scappoose, Oregon (Tax Map ID. 3N1W07-BD-00200)".
- (H) Order No. 83-2017, "In the Matter of Amending the Rules and Regulations and the Fee Schedule for Columbia County Forests, Parks, Beaches, Docks, and Other Recreational Facilities Subject to Ordinance No. 94-9".
- (I) Order No. 84-2017, "In the Matter of Amending the Facility Use Application and Agreement Form and Insurance Requirements Form for Reservation and Rental of Columbia County Parks".

The motion carried unanimously.

COMMISSIONER HEIMULLER COMMENTS:

Commissioner Heimuller spent last Thursday and Friday at the Annual O&C meeting in Eugene. There was significant conversation on timber funds and the lawsuits against the Federal Government on sequestered funds. The good news is that we got back the sequestered funds from the feds. Discussions were also held on timber management and how to get timber back after a fire.

He attended the Toy and Joy Auction Saturday night. It was well attended and sounds like that they collected \$26 -\$27,000.00 in donations, which will be re-distributed back into South Columbia County.

He wanted to remind folks that when you see the bell ringers for Salvation Army, they are volunteers from our local groups like Kiwanis. 50% or more of the funds collected stays right here in Columbia County.

The County is holding a food drive right here at the Courthouse to help supply food to families in need.

COMMISSIONER MAGRUDER COMMENTS:

Commissioner Magruder was sad to hear that Rory Hammond is leaving the county. He and Katherine will be missed. Hopefully we will see him on occasion before he moves.

She also attended the O&C meeting last Friday, which Commissioner Heimuller just covered. The only thing he didn't mention was that he was re-elected to the O&C Board. This is good that Columbia County has representation on that Board.

Also, the Board attended the Oregon Business Leadership Summit on Monday in Portland. This summit includes leaders across the State who get together to discuss various issues facing Oregon. A lot of conversations were held on budgets, PERS and how to solve the problems across the State. The Governor was also there so we were able to get messages to her.

She also attended the Toy and Joy event last Saturday night. Mark Kuhn was the auctioneer again, and does a great job at it. She got to see folks that she hasn't seen in awhile and it was great to visit and spend time with them and even got a few Christmas presents.

The Warren Grange will be celebrating their 150th Grange Anniversary this coming Sunday. She wanted to give them a shout out for all they do for our communities.

COMMISSIONER TARDIF COMMENTS:

Commissioner Tardif was out of town last Wednesday through Sunday so he missed the O&C meeting and the Toy and Joy auction, but was back in time for the Oregon Leadership Summit on Monday. He found it very fascinating. Discussions were held on PERS and the budget, but what he found fascinating was "What is Oregon's Future". A lot of discussion on robotics and technology within the industry. What will that do to our jobs and our jobs market? What does the future job market look like? He did a lot of research, and listening to speakers, trying to figure how we in Columbia County are going to move forward in the day of technology. How we will provide jobs to our workers and what will our new jobs look like in 10, 15, 20 years down the road? He found this summit to be very valuable, with the opportunity to speak with multiple people from the Governor's office about different programs. He was a little hesitant to go to the summit because the Board does attend a lot of conferences, but he is very glad he went.

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 6th day of December 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: _____
Jacyn Normine
Board Office Specialist

By: _____
Alex Tardif, Commissioner