

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

February 14, 2018

The Columbia County Board of Commissioners met in scheduled session with Commissioner Margaret Magruder, Commissioner Henry Heimuller and Commissioner Alex Tardif, together with Robin McIntyre, Assistant County Counsel and Jan Greenhalgh, Board Office Administrator.

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

MINUTES:

Commissioner Tardif moved and Commissioner Heimuller seconded to approve the minutes of the February 7, 2018 Board meeting and February 7, 2018 Work Session. The motion carried unanimously.

VISITOR COMMENTS:

Judy Thompson, 185 S. 4th, St. Helens: She presented a flyer to the Board with information on the SHEDCO spring cleanup project. She shared pictures of what the back of the Courthouse looked like 6 years ago - very depressing, dingy and uncared for. Current day pictures show what SHEDCO has done with the area for the past 6 years. This cleanup event coincides with SOLVE's Earth Day on April 21st. During the year, she maintains this area with help from her husband, her sons and some volunteers. This is a lot of work, especially during the summer, having to water all the plants, sometime twice a day. This has gotten to be too big of a job for her alone. SHEDCO can clean up the area, but the Board needs to determine if the flowers will be planted this year and who will maintain them. She invited the Board to come down and participate in the April 21st cleanup. She also mentioned that the Warrior Rock structure needs to be cleaned again and would ask that the County do that. The Board will put this on an upcoming agenda to discuss.

1ST & 2ND READING: ORDINANCE NO. 2018-2 - MARIJUANA LAND USES:

This is the time set for the first and second reading of Ordinance No. 2018-2, "In the Matter of Amendments to Regulations in the Columbia County Zoning Ordinance Pertaining to Marijuana Related Land Uses in Unincorporated Columbia County".

To recap, the Board held a public hearing on this matter and voted to tentatively approve the Ordinance. Counsel then prepared the final ordinance for adoption. The ordinance contains an emergency clause because there are certain standards and regulations proposed that would affect public health and safety, i.e. smells, noise, lighting to name a few. The emergency clause would make the ordinance effective immediately. At this time, with no objections, Robin gave the first and second reading of Ordinance No. 2018-2, by title only. With that, Commissioner Heimuller moved and Commissioner Tardif seconded to adopt Ordinance No. 2018-2, "In the Matter of Amending Regulations in the Columbia County Zoning Ordinance Pertaining to Marijuana Related Land Uses in Unincorporated Columbia County". Under discussion, Commissioner Tardif asked for clarification on why smell, noise and lighting constitute an emergency to public health and safety. Robin explained that the emergency clause doesn't necessarily mean an emergency such as a disaster, it just means that it needs to be approved sooner, rather than later. The Board has broad discretion when determining an emergency. Because the standards being proposed do affect health, safety and welfare, she would recommend that the ordinance go into effect immediately. At this time and with no objections, Robin gave the first and second reading of Ordinance No. 2018-2, by title only. With that, Commissioner Heimuller moved and Commissioner Tardif seconded to adopt Ordinance No. 2018-2, "In the Matter of Amendments to Regulations in the Columbia County Zoning Ordinance Pertaining to Marijuana Related Land Uses in Unincorporated Columbia County". Under discussion, Commissioner Tardif stated that he does not have a problem adopting this ordinance as part of the county code, but he struggles with understanding the need for an emergency. He does not see how these standards affect public health, safety and welfare and why we need to expedite it instead of waiting the 90 days. That said, he does not think he can approve this with the emergency clause. Commissioner Heimuller commented that, his perception is that County Counsel does not seem to overuse the need for an emergency clause, only once or twice a year maybe. After discussion, the vote was taken. Commissioner Tardif opposed. The motion carried.

CONSENT AGENDA:

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

- (A) Ratify the Select to Pay for the week of 02.12.18.
- (B) Reappoint George Dunkel, Dennis Kenna and Jim Tierney to the Elected Official Compensation Committee for a (1) year term.

- (C) Order No. 6-2018, "In the Matter of Distributing Strategic Investment Program ("SIP") Payments for 2018".
- (D) 2018 Liquor License Renewals for: Star Mart, Island Cove Market, Alston Country Store and Scappoose B&B Market.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (E) Amendment #1 to Oregon Health Authority 2017-2019 Intergovernmental Agreement #154105 for the Financing of Public Health Services and authorize the Chair to sign.
- (F) Temporary Construction Easement with Jeffery S. Curry and Jacqueline Roberts for Constructing Improvements to the Robinette Road Culvert.

The motion carried unanimously.

COLUMBIA COUNTY TRANSIT ADVISORY COMMITTEE - BYLAWS:

Michael Ray, Transit Director, was present to discuss the bylaws for the Citizen Transportation Advisory Committee. The last time these amendments were addressed was in 2012. There is a need to update the bylaws, which are now before the Board for approval. Michael went through all changes in the updated version. Commissioner Heimuller pointed out a typo that needs to be corrected. He also mentioned that, even if these are approved, they will need to be amended again soon because of the new funding requirements by the legislature. This will change the dynamic of the committee if those changes are approved. Because the Chair of CTAC has never seen the bylaws, they really should have some approved guidelines to follow. With that, Commissioner Tardif moved and Commissioner Heimuller seconded to approve the bylaws. Robin noted that, if the Board wants to approve these bylaws, she will need prepare a Resolution with a clean copy of the bylaws, for an upcoming agenda for approval. Commissioner Magruder has reviewed the bylaws and asked that the word "assist" with the funding be deleted. The committee is only an advisory committee and does not assist in the distribution of funding. She also suggested some word smithing to the language regarding recommendations for new committee members. Commissioner Heimuller asked if Michael had these draft bylaws reviewed by ODOT. Michael has not sent these to ODOT for review, but he will send them down to Arla at ODOT for review. Commissioner Magruder felt these were not yet ready for approval. After discussion and with the vote taken, the motion failed.

ODOT GRANT APPLICATION FOR TRANSIT VEHICLES:

While present, Michael Ray presented the Board with 3 ODOT transit funding applications that are due back to the State by 2.20.18. He reviewed each application and what the funding would be used for. There is a match requirement for all three application and, if 100% successful, the total match would be \$244,905, for an approximate \$1 million in funding. He noted that the transit budget has the match needed. Commissioner Heimuller is in total support of these applications, but cautions that the STIF funding may not be available until June/July 2019. After discussion, Commissioner Heimuller moved and Commissioner Tardif seconded to approve the 3 ODOT grant applications as presented and authorize the Chair to sign. The motion carried unanimously.

COMMISSIONER TARDIF COMMENTS:

Commissioner Tardif wished everyone a Happy Valentine's Day.

He attended the Scappoose Town Hall meeting last Saturday and he was very impressed with the work the city has done with putting together a plan, securing grants and moving forward on parks, road improvements and livability.

COMMISSIONER HEIMULLER COMMENTS:

Commissioner Heimuller attended the Special Districts Association conference in Seaside last weekend. He has served as a Special District Board member for 26 years now and, out of those 26 years, he has attended 25 of their annual conferences. He always learns something because of all the changes to the law over the years.

He and the other Commissioners were at the Cornerstone Restaurant in Rainier last Friday for "Coffee with the Commissioners". About a dozen people came to visit with the Board.

Additionally, all three Commissioners were in Salem last Monday for the AOC Steering committee meetings.

Yesterday, he spent the afternoon and evening in Salem serving on the Rural Advisory Committee for the Special Transportation Improvement Fund. The group is at the point now where they can finalize their work and send it to the Transportation Commission for

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their review and approval. The committee can then move forward in the process.

COMMISSIONER MAGRUDER COMMENTS:

Commissioner Magruder wanted to say Happy Birthday to the State of Oregon. Oregon is 159 years old today.

Commissioner Magruder wanted to raise water quantity/quality awareness. She attended the USDA Natural Resource Conservation Service work group last week. Water quantity in Oregon is a high priority and the low snow levels will impact the water levels. We all need to conserve water where we can.

As mentioned, she was in Salem on Monday to attend the various AOC steering committee meetings. She was honored to be able to attend a reception at Mahonia Hall with Governor Brown with the Regional Solutions Team group.

There was no Executive Session held.

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

Dated at St. Helens, Oregon this 14th of February, 2018.

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

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FOR COLUMBIA COUNTY, OREGON

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By: _____

Jan Greenhalgh

Board Office Administrator

By: _____

Margaret Magruder, Chair

By: _____

Henry Heimuller, Commissioner

By: _____

Alex Tardif, Commissioner