

COLUMBIA COUNTY BOARD OF COMMISSIONERS

WORK SESSION
MINUTES

May 13, 2003

The Columbia County Board of Commissioners met in scheduled session with Commissioner Joe Corsiglia, Commissioner Rita Bernhard and Commissioner Anthony Hyde, together with Sarah Tyson, Assistant County Counsel, and Jan Greenhalgh, Board Secretary.

Commissioner Corsiglia called the meeting to order.

DAVE HILL: ADVERTISE BIDS FOR PORT WESTWARD ROAD IMPROVEMENTS:

Dave Hill came before the Board regarding the Port Westward project. He would like to advertise for bids on 5/16 & 5/19 for the Port Westward road improvements and award the contract on June 25th. He would like to get this done soon so they don't lose the summer season for paving. Sarah has reviewed the specifications and made some changes. Dave will get a copy of the plans and specs to the Board office. After little discussion, the Board added approval to the consent agenda.

PROPOSED ORDINANCE NO. 2003-3:

John Knight explained that the County currently has an ordinance in place that allows a certain portion of the penalties imposed in Justice Court cases to fund the Continuing Legal Education (CLE) classes for Judges. Rod McLean, Justice of the Peace, has been receiving more money than he needs to fulfill this requirement. Therefore, he would like to use this additional money to purchase some software, which would include the County's system. He believes this would streamline operations and would avoid the need for additional clerical support. If the Board is comfortable with moving forward on this, John will advertise the hearing notice and draft a final ordinance for adoption. Commissioner Hyde wanted it noted in the record that, one of the purposes of this ordinance is to avoid the need to hire additional staff for the Justice Court.

RAC PRIORITIES:

This matter was held over to two weeks.

STF COMMITTEE:

John has drafted a public notice for recruitment of volunteers to participate on the STF (Special Transportation Fund) advisory committee. He would like to get the recruitment process started right away. The Board agreed.

EXECUTIVE SESSION UNDER ORS 192.660(1)(h) - PENDING LITIGATION:

The Board recessed the regular session to go into Executive Session as allowed under ORS 192.660(1)(h). Upon coming out of Executive Session, no action was taken by the Board.

DORIAN KUPER: LIMITED EXEMPT MINING SITES REPORT:

Dorian Kuper, Kuper Consulting, 22680 SW 76th Avenue, Tualatin: Dorian gave a brief summary of her report to the county on the pros and cons of turning the administration of surface mining over to DOGAMI. When this was first addressed back in November, the big question was the Limited Exempt status of several sites in Columbia County. Dorian and Carla Cudmore, met with the mining operators who have Limited Exempt status to get their opinion on turning over administration to DOGAMI or retaining it in the County. The majority of miners would like to see the program go to DOGAMI, with the caveat that they can retain their Limited Exempt status. The Limited Exempt status is no longer available in the DOGAMI program. As of October, 2002, any operator that had a Limited Exempt, or thought they did, had to apply for it through DOGAMI. One idea that has been considered is working with DOGAMI who would prepare legislation to change that. If changed, it allows miners in Columbia County to move into the DOGAMI program with their Limited Exempt status in tact.

Bob Short, Glacier NW, spoke with Gary Lynch and Representative Johnson about this issue some time ago. Gary's view is that, because of the prohibition on accepting new surface mining Limited Exempt sites in the DOGAMI program, legislation would be required to preserve the Limited Exempt rights. Bob asked Representative Johnson to carry this bill because it's a Columbia County issue. She had some issues with DOGAMI's budget and feels that, with all things considered, it is not an appropriate time for this.

John Knight noted that it is very late in the session to get a bill introduced at this time.

Dorian suggested the Board should make a decision one way or another. If the decision is to turn it over to DOGAMI, then move forward with public hearings and work on legislation.

Todd Dugdale would agree that a decision needs to be made, based on the findings in the report. He feels the County wouldn't be losing much by turning the program over to DOGAMI, except the cost for the County to administer the program.

Commissioner Hyde is in a agreement with moving the program over to DOGAMI, however some of the issues need to be dealt with. He anticipates this could be a couple years down the road.

John hears a consensus of the Board for Todd to move forward with the public hearing process that would lead to the adoption of an ordinance which would repeal the current Surface Mining Ordinance, effective sometime in the future. At the same time, the County would work on a legislative package for the next session. John asked what would happen if the legislative package

does not go through and the SMO is repealed. Also, what do we do with the current ordinance in the interim, which needs work. Do we live with it the way it is or do try to improve it. Commissioner Hyde feels that if the County is ultimately looking at relinquishing the program, limping by with the current ordinance is not an option but \$40,000 codification is too much. He would like to see Todd prepare a time line on the proposed ordinance and hearing process. Commissioner Bernhard would like to see the hearing process take place first, so there isn't a perception by the public that the Board has already made up their minds to relinquish the program. Commissioner Hyde feels the Board should still have some type of time frame of the process, in case the question comes up during the public hearings. John feels work should begin on the most critical aspects of the current ordinance, so we can function more smoothly in the interim. Then hold public hearings to take input. With that, Todd was directed to work on both the time line and public hearing process.

JERRY SIMMONS: EXCURSION TRAIN:

Two weeks ago, Jerry Simmons met with ODOT, the railroad division and others regarding the excursion train from Astoria to Portland. Beginning May 23rd through the end of September, there will be an excursion train every weekend traveling from Portland to Astoria and back. The Board stated that they will be taking that trip this weekend. Jerry noted his concern is that there will be an increase in complaints, specifically from the residents of the Laurel Beach area. They have already been complaining about the trains, spraying herbicides, blowing the whistle too long and too loud, too often, etc.

John Knight comments on the trespass issue at Laurel Beach. He understands that ODOT has posted "No Trespassing" signs up rail and down rail from the Laurel Beach area, so that people are discouraged from walking the tracks. However, the County did not encourage them from preventing people from crossing the railroad tracks to Laurel Beach for fear that would cause more problems. People believe it is their right to fish that beach.

The County received a call from the neighbors that the signs posting the hours was down. Commissioner Corsiglia asked Dave Hill to check into that and there are no minutes where the Board made a final decision on removing the sign. With that, Commissioner Hyde moved and Commissioner Corsiglia seconded to remove the "hours" sign from Laurel Beach. The motion carried unanimously.

After discussion on park hours, it was suggested that a sign be posted stating that the park is open during daylight hours only. The Board will contact Dave Hill about this.

The Board recessed the meeting at 11:15 a.m. and reconvened at 11:30 a.m. All were present.

The Board met with Ray Naft, Office of the Governor, for lunch at the Klondike. The following issues were discussed: The Crown Zellerbach Linear Trail project; the economic situation in the

County as is relates to unemployment, resources, etc.; and the major issues facing Columbia County in the next 2-5 years.

The Board recessed at 1:00 p.m. and reconvened at 4:00 p.m. with all present.

Commissioner Corsiglia called the meeting back to order.

COMMENTS ON LEWIS & CLARK ACTIVITIES:

Steve Gibons, Scappoose Bay Kayaking and Jan Rentenaar, 58145 N. Morse Road, Warren, came before the Board to discuss the Lewis & Clark project. Steve understood that there was going to be some type of park at Sauvie Island, but from his observation, nothing is being done. What was done, as far as trails, are overgrown and no signs were posted that he could see.

Jan Rentenaar was hired by Bob Brown to do the artwork, but since her last visit with this Board about payment on her artwork, she heard that she is no longer involved in this project. She went to the Historical Board meeting and still has no answers.

Commissioner Hyde explained some of the problems involved with this project. Things that need to be done is that the Historical Society will need to sign an MOU with the County, report to the Commissioners every step of the way, hold public meetings, etc.

Jan Rentenaar read a letter to the Board from Ms. Wren Christopher expressing her concerns with the grant funding and her difficulties in working with Bob Brown.

Steve feels this would be a wonderful project, but is concerned with who is running it. There needs to be some specific direction. There is a lot of knowledge out there that can be accessed. He believes in this project and would be willing to help if there were some direction. He is here today to simply ask questions. If there is a steering committee, he would like to be on it, because he feels he has something to contribute.

The Board will consider forming an advisory committee and will be in contact with both Steve and Jan.

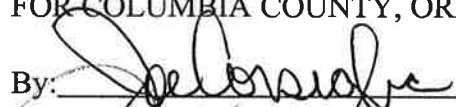
With nothing further coming before the Board, the meeting was adjourned.


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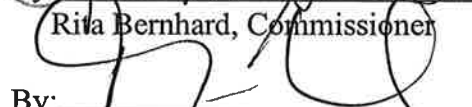
Dated at St. Helens, Oregon this 13th day of May, 2003.

NOTE: A tape of this meeting is available for purchase by the public or interested parties.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Joe Corsiglia, Chair

By: 
Rita Bernhard, Commissioner

By: 
Anthony Hyde, Commissioner

By: 
Jan Greenhalgh, Board Secretary