

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

February 8, 2006

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

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

Commissioner Corsiglia stated that the public hearing for the zone change application of Dick Recht, Chris Nelson and Scott Russell has been rescheduled and re-notified to February 22, 2006 at or after 10:00 a.m.

MINUTES:

Commissioner Hyde moved and Commissioner Bernhard seconded to approve the minutes of the February 1, 2006 Board Meeting; and February 1, 2006 Staff meeting. The motion carried unanimously.

VISITOR COMMENTS:

Diane Dillard, Chair of Committee Citizens for Safer Communities Now. She is here today to request that the Board place the enhanced Law Enforcement Operating levy on the May 16th ballot. Judy Crafton and Phil Derby are also present to support this.

John Knight explained that, if there is Board consensus to do this, he will amend the prior resolution for Board review and approval to place it on the ballot. John will also have to draft a ballot title and explanatory statement for the voters pamphlet. He will also check to see if a public hearing is required.

HEARING: AMENDMENT TO LOAN FROM SPWF FOR TRANSFER STATION:

This is the time set for the public hearing, "In the Matter of Authorizing an Amendment to the Loan from the Special Public Works Fund for the Columbia County Transfer Station".

Sarah explained that this hearing is being held to consider amending Order No. 16-2004, authorizing an increase in the Special Public Works Fund loan for the Columbia County Transfer Station. Last March, staff came before the Board to have a hearing in this same matter. At that point, it was determined that the number would need to be changed again and an additional amendment would be sought from the Oregon Economic & Community Development Department. That has occurred and we have the final contract documents back from the State. We have scheduled this hearing and the purpose is to consider whether or not to go forward with

amending the original loan documents to increase the amount to \$4,435,000. If the Board goes forward with this, it would need to be approved by order, which Sarah has drafted.

Todd Dugdale, LDS Director, stated that back in August 2005, he presented the Board with an update on the project and the design changes that were being proposed for the Transfer facility, as well as revised budget numbers. At that time, Todd requested authorization to submit a request for an amendment to the State funding authority for SPWF. The Board agreed and submitted the request to the State. In October, 2005, he received notification of approval, however, he just recently received the amended contract. This process just needs to be finalized by holding the hearing and the Board approving the amended contract.

The hearing was opened for public testimony.

With no testimony coming before the Board, the hearing was closed for deliberation. Commissioner Hyde moved and Commissioner Bernhard seconded to approve Resolution No. 10-2006, "In the Matter of Authorizing an Amendment to the Loan from the Special Public Works Fund for the Columbia County Transfer Station, in the amount of \$4,435,000.". The motion carried unanimously.

While in attendance, Todd stated that the new facility will be holding a grand opening ceremony on February 16th at 2:00 pm, with plans to open for business on February 20th.

DELIBERATIONS: INTERGOVERNMENTAL AGREEMENT WITH REDCO:

The Board held a hearing on this matter on February 1, 2006 and carried over deliberations to today. After taking testimony, there are some options that the Board may want to consider, which John has listed out in a memo. The IGA would require REDCO to use the \$300,000 it receives from the urban renewal tax increment, plus the increased revenues that the other taxing districts agree to contribute, to make the \$600,000 payment to USG. It is his understanding that REDCO has been saving \$50,000 a year from its tax revenues for the last seven years for a total of \$350,000.

One option would be to require REDCO to contribute an additional \$50,000 per year for seven years, for a total of \$350,000 towards the USG note. This would reduce the share contributed by the County and other districts in the first seven years by \$50,000. After seven years, the share contributed by the County and other taxing districts would rise from \$250,000 to \$300,000.

The second option has to do with the special levy that REDCO has the authority to impose. John believes they are currently imposing a special levy of \$.95 per \$1,000. They could continue to impose that levy and they could even increase that levy even if the taxing districts step up to make up the difference. If the Board took the first option to require REDCO to put the \$350,000 they get from USG tax revenues plus the \$50,000 per year for seven years they set aside for this note, there is nothing that would stop REDCO from increasing the amount of their special levy up to the amounts that are provided in their plan, which would defeat the purpose of the other

taxing districts stepping up to help pay this loan. An option would be to put a provision in the agreement that prohibits REDCO from increasing its special levy beyond the amounts that are in place this fiscal year.

The third set of options deals with consequences should REDCO either fail to make its payments to USG as it agrees to in the IGA or they increase their special levy. **Option 3(a)** would require REDCO to refund, to the taxing districts the amount of money they contributed to solve this problem in the current fiscal year. **Option 3(b)** would require REDCO to refund the increased revenues contributed by the other taxing districts for all of the fiscal years during which they have been in this agreement. **Option 3(c)** would require REDCO to pay interest on those amounts at a rate of 1% per month (or part of a month).

These are the options that could be incorporated into the IGA. John has discussed this with Chad Olson, City of Rainier. John feels that Chad should have the opportunity to comment on these options. The Board closed the hearing last week, so if they want to hear from Mr. Olson, the hearing would need to be re-opened to all who want to comment.

With that, the hearing was re-opened to allow additional comments, specific to the proposed changes.

Chad Olson, City Administrator of City of Rainier, appreciates the County considering entering into this IGA to assist REDCO in paying the USG debt. REDCO has been putting away \$50,000 per year for the last 7 years into a USG debt reserve to be applied to future debt. He anticipates using that \$350,000 to cover the first payment. Although REDCO hasn't formally discussed it, he would anticipate also using the USG debt reserve for the final payment in the last year, in the amount of \$300,000, instead of \$50,000 annually. He would encourage the County to consider the \$300,000 annually instead of the \$250,000. Commissioner Hyde stated that the County wants to ensure that that reserve fund actually goes to buy down the debt. Chad responded to comments on the use of the special levy. The REDCO Board and the City budget committee will have to include the special levy to get it certified with the County. Not knowing the outcome of the court's decision, they would need to include the levy to ensure there are funds for the first payment. Basically an insurance policy. Commissioner Hyde expressed his concern with taxing the citizens for this. Chad stated that if the court says yes and everyone participates, then they wouldn't need a special levy. However, if they say no, then REDCO would need the levy. Commissioner Hyde asked County Assessor Sue Poling if the levy was certified and the courts upheld the IGA's, would the citizens still be taxed? Sue was not sure and would have to check into that. Commissioner Hyde stated that if that is fact, then he would not be comfortable with that. Chad stated that if the special levy is deleted from one of their tools for completing its plan, industrial development, job creations, etc., these are things that they will not be able to pursue in the future.

Commissioner Hyde stated that this would not preclude the city from going out for a special levy for other projects, however, the citizens would have to vote on it. Chad then commented on the option presented by staff under 3(a) - he would advocate to apply it for that year, as opposed to going back prior years. Chad finished by expressing his gratitude for the Commissioner's support on this issue.

Thelma Bonar, 56734 Way Lane, Warren: After the testimony, she feels the Board will do the right thing for the county. This is like an inheritance tax and all parts of the county get a part of it. Since REDCO capped this at \$300,000, they should return any overage to the other districts. Are they still going to be doing that? Commissioner Hyde stated it would be that, plus new money.

Tammy Maygra, 34319 Cannan Road, Deer Island: She would hope that the Board, whatever they decide, to lock it up tight and not allow any wiggle room.

With no further testimony coming before the Board, the hearing was closed. Commissioner Hyde commented on the options and would support option #3(c). Commissioner Hyde moved and Commissioner Bernhard seconded to approve the IGA with REDCO. Under discussion, it was mentioned that REDCO would like to look at certifying their taxing authority and, because we don't have an answer on that at this time, the Board may want to wait another week to take action on this. Commissioner Hyde withdrew his motion and Commissioner Bernhard withdrew her second. This matter was carried over one week.

The Board recessed the meeting at 11:25 a.m. to go into the 4-H & Extension Service District meeting. The meeting reconvened at 12:00 noon with Commissioner Bernhard, Commissioner Hyde, John Knight, County Counsel and Jan Greenhalgh, Board Secretary present. Commissioner Corsiglia was not present.

CONSENT AGENDA:

Commissioner Bernhard read the consent agenda in full. With no comments, Commissioner Hyde moved and Commissioner Bernhard seconded to approve the consent agenda as follows:

- (A) Ratify Select-to-Pay for 2/7/06.
- (B) 2006 Liquor License Renewals for:
 - Warren Country Inn;
 - Yankton Store;
 - Scipio's Goble Landing.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (C) IGA between Department of Consumer and Business Services and Columbia County (Manufactured structures ownership documents and trip permits).

The motion carried unanimously.

PSC WITH GRAHAM EBERLE NORMAN ARCHITECTS, INC:

John Knight briefly reviewed the contract with Graham Eberle Norman Architects, Inc. for the

family resource center project. OECDD has reviewed the contract and had some comments. Because John will be making some changes, this was held over one week.

GRANT FOR PLACEMENT OF BRIDGE ON CZ TRAIL OVER ALDER CREEK:

The Road Department is requesting approval to apply for a recreational trails grant. After review, Commissioner Hyde moved and Commissioner Bernhard seconded to authorize Dave Hill to apply for a Recreational Trails Grant for the placement of a bridge on the CZ Trail over Alder Creek. The motion carried unanimously.

REQUEST BY DONALD FAWVER FOR PARTIAL HARDSHIP FEE WAIVER:

Commissioner Bernhard reviewed the staff report from LDS on this request. After reading the request, Commissioner Hyde moved and Commissioner Bernhard seconded to approve the request and waive the county portion only. The motion carried unanimously.

COMMISSIONER CORSIGLIA COMMENTS:

Not present.

COMMISSIONER BERNHARD COMMENTS:

Commissioner Bernhard attended the United Way retreat on Saturday - they are making plans for the next UW campaign and looking at ways to increase donations.

On Saturday night, the Scappoose Boosters held the Taste of Oregon at the Fairgrounds. It was very well attended and a good way to taste the food from all the different restaurants in the area.

COMMISSIONER HYDE COMMENTS:

Commissioner Hyde continues to work on a number of issues, including the PL-106 funding.

There was no Executive Session held.

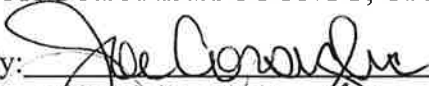
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With nothing further coming before the Board, the meeting was adjourned.

Dated at St. Helens, Oregon this 8th day of February, 2006.

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

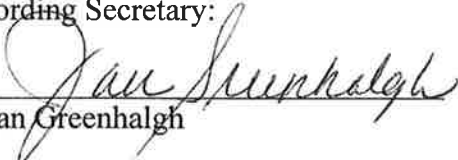
BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Joe Corsiglia, Chair

By: 
Rita Bernhard, Commissioner

By: 
Anthony Hyde, Commissioner

Recording Secretary:

By: 
Jan Greenhalgh