

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

March 17, 2004

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

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

MINUTES:

Commissioner Hyde moved and Commissioner Corsiglia seconded to approve the minutes of the March 9, 2004 Work Session; and March 10, 2004 Board meeting. The motion carried unanimously.

VISITOR COMMENTS:

None.

PUBLIC HEARING: AUTHORIZE COUNTY TO BORROW FROM SPW FUND:

As scheduled, the public hearing to consider the adoption of an Order authorizing Columbia County to borrow money from the Special Public Works Fund, was held.

Sarah stated that this is the time set for the Board to consider an order which would authorize the County to accept funds from the Special Public Works Fund for the transfer station in the amount of \$2,875,589. By statute, the County is required to hold a hearing and adopt an order authorizing the loan. Sarah has reviewed all of the loan documents and they are ready for signature once the order is approved.

The hearing was opened for public testimony.

Kathy Taylor, 34750 Bachelor Flat Road, St. Helens: Kathy asked why, when the County doesn't have any money and there is already a private industry handling this, why is the county doing this. Commissioner Hyde stated that he is very much in favor of private business, however, by the county procuring the site, the County would be more in control of the costs and ultimately, the costs to the taxpayers for their garbage fees. The current situation is somewhat out of control. We are coming to the end of the contract period and we have an opportunity to move the site from the current location, which is prime retail site at some point, to what will be a better site. This will give the county the opportunity to control the price of solid waste over a long period of time. In terms of paying for this, the county has talked to the companies about the franchise agreements and, as a result, the county has received rebates which will go towards the costs of this loan as well as the leasing of the facility once completed. The citizens will save

money in the long run. Kathy asked if the county was borrowing enough money to fix Railroad Avenue at the intersection. Commissioner Hyde stated that it includes upgrades to Railroad Avenue. Commissioner Corsiglia has talked with some people in that neighborhood who have some concerns and believes the county is going above and beyond what would normally be asked of a private contractor to put in some off site expenses to make it more attractive.

With no further testimony coming before the Board, the hearing was closed for deliberation. After little discussion, Commissioner Hyde moved and Commissioner Corsiglia seconded to approve Order No. 16-2004, "In the Matter of Authorizing a Loan from the Special Public Works Fund by Entering into a Loan Contract with the Oregon Economic and Community Development Department" and authorize the chair to sign. The motion carried unanimously.

PUBLIC HEARING: EXEMPT CONTRACT FOR TRANSFER STATION OPERATION

As scheduled, the public hearing, "In the Matter of Exempting the Contract for Operation of the Columbia County Transfer Station and Recycling Facility from the Competitive Bidding Requirements of ORS 279.015(1) and the Columbia County Public Contracting Rules", was held.

Sarah explained that the public contracting rule requires that an operator be chosen on the basis of price only unless a contract is exempted from the public contracting rule. The Board is required to hold a hearing and have draft findings available to explain why this is in the best interest of the county to exempt this contract from the public contracting rule. Sarah has drafted Order No. 7-2004 which sets out the findings.

Bill Potter explained that it would be very advantageous to the county to take into consideration other factors other than just price in selecting an operator for the new transfer station. Such as the company's history, financial stability, ability to manage and report to the county. There are a number of factors other than price that need to be taken into consideration. With great consideration, he would recommend that we use an RFP process to select an operator.

Todd Dugdale feels this is just a step that is needed under our procurement policy. As he understands it, this doesn't fit into the category of a construction project or a typical professional services contract and therefore should be treated in a way that would meet our objectives.

The hearing was opened for public testimony.

Hearing none, the hearing was closed for deliberation. After discussion, Commissioner Corsiglia moved and Commissioner Hyde seconded to approve Order No. 7-2004, "In the Matter of Exempting the Contract for Operations of the Columbia County Transfer Station and Recycling Facility from the Competitive Bidding Requirements of ORS 279.015(1), and the Columbia County Public Contracting Rules". The motion carried unanimously.

PUBLIC HEARING: AMENDMENTS TO PLANNING COMMISSION ORDINANCE:

As scheduled, the public hearing, "In the Matter of the Application of Columbia County for Amendments to the Planning Commission Ordinance", was held.

Sarah explained that the Planning Commission ordinance establishes a four year term for Planning Commission members. Over the years, those terms have become un-staggered and many terms are expiring at the same time. The Board and staff have discussed amending this ordinance to allow the Board to appoint Planning Commission members to terms less than 4 years in order to get terms re-staggered. Sarah has prepared a draft ordinance that would allow this. While reviewing the ordinance, Sarah also made some housekeeping changes which she reviewed at this time. She noted that this ordinance includes an emergency clause.

Todd stated that, basically, this ordinance is 13 years old and needs updating. This allows for re-staggering terms and updating the ordinance to comply with state law.

The hearing was opened for public testimony.

Hearing none, the hearing was closed for public testimony. With that, Commissioner Hyde moved and Commissioner Corsiglia seconded to adopt Ordinance No. 2004-1, "In the Matter of Amending the Columbia County Planning Commission Ordinance Regarding Staggering of Member Terms and Housekeeping Amendments". The motion carried unanimously.

CONSENT AGENDA:

Commissioner Bernhard read the consent agenda in full. With that, Commissioner Hyde moved and Commissioner Corsiglia seconded to approve the consent agenda as follows:

- (A) Ratify the Select-to-Pay for 3/16/04.
- (B) Order No. 15-2004, ""In the Matter of Amending the Fee Schedule for Complying with Public Records Request".

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (C) Intergovernmental Agreement with the Secretary of State Elections Division for the Joint Voters' Pamphlet.
- (D) Intergovernmental Service Agreement between the Department of Revenue and Columbia County Community Corrections for collection services and authorize Jim Stewart to sign.

The motion carried unanimously.

REDUCE ILLEGAL DUMPING BY-LAWS:

The Board discussed this item at a previous work session and John had expressed some concerns with the language. The matter was held over to allow John time to make some changes. He has made those changes and reviewed them with the Board at this time. Some discussion was held on the terms of appointment. It was noted that this task force was created for a two year time frame and is to be looked at again at the end of that two year period, November 2004. It was suggested and decided to remove #B from the by-laws at this time. John suggested allowing the RID task force to review these changes prior to the Board taking any action. The Board agreed.

INTRODUCE NEW SOLID WASTE ADMINISTRATOR:

Todd introduced Matt Tracy, as the new Solid Waste Administrator. The Board welcomed Tracy to the County.

HOSPITAL COALITION:

Skip Baker, Brian Burright and Paula Becks representing the Hospital Coalition appeared before the Board. They are asking the Board to refer to the voters the formation of a new health district with a tax rate to support a Critical Access Hospital. This was presented to the Board at their last work session. Skip explained that the Health District Board has passed a resolution to complete the dissolution process contingent upon approval of a new district. That the dissolution plan should be to the County Counsel's office by Friday.

John Knight has sent a letter to the attorney working on this. John is not yet in the position to recommend the Board actually adopt the initiative resolution. He has a number of questions that need to be answered first, however he doesn't anticipate any problems. One question is if the Board is willing to initiate this by resolution. The alternative is to have it initiated by petition. The advantage of having it done by petition is to gauge whether or not there is public support for this and also require a bond of the petitioners to cover the cost of the proposed formation should it fail. On the other hand, requiring it to be done by petition would delay the process and it may not be able to meet the November election date. If done by resolution, there is nothing in the statute which allows the county to recover the cost should it fail. If it were to succeed, the statute provides that the district will reimburse the county for its cost in the formation and also for any engineering studies and surveys. Because John is not prepared to recommend approval of the resolution, the Board should at least give them an answer of whether the Board is even willing to initiate a resolution.

Skip checked with the Elections department and estimates the cost would be approximately \$5,000. He stated that if this should fail, the current health district would still be in effect and could commit to pay for the election even if it fails. That can be brought up at their next meeting. Paula stated that the Health District has a history of paying for elections and although she can't speak for the Board, she doesn't feel this would be a problem.

After discussion, the Board stated it doesn't have a problem with initiating this however, a formal decision will not be made until County Counsel recommends approval.

APPOINT A NEW ENTERPRISE ZONE MANAGER:

Tom Linhares, County Assessor, previously sent a memo to the Board with some recommendations for transferring some of his non-assessor duties to other members of county staff. One of the most important duties is the manager of the Lower Columbia Maritime Enterprise Zone. He had recommended Janet Wright take over that duty. However, that takes a formal process. Tom reviewed the Administrative Rule that addresses this and it recommends it be done by resolution. Tom would suggest that the resolution name a position, rather than a specific person so that whoever takes over the position, they are the Enterprise Zone Manager. Sarah suggested that this should be communicated with the other zone managers before going through the process. After discussion, the Board directed Janet and Sarah to make contact with the zone managers and prepare a resolution.

COMMISSIONER BERNHARD COMMENTS:

Yesterday, the Board attended the annual Red Cross breakfast in Portland where they recognized people who have done work for the Red Cross.

Last Friday, she attended a Brownsfield training which was very interesting. This group will be working with the DEQ to put together some identified problems and solutions on how to correct the problems and make those properties available for future development.

Last week, she spoke at the civics class at St. Helens High School. She was impressed that the students were so well informed.

COMMISSIONER HYDE COMMENTS:

Last Wednesday, the Board attended a memorial in Vernonia for a former resident and high school graduate. He was a helicopter pilot who perished in Iraq. It was a very moving ceremony.

COMMISSIONER CORSIGLIA COMMENTS:

Commissioner Corsiglia attended a LGAC meeting in Salem on Friday for the DHS group. Trying to get DHS to gather information on the numbers of the employees they had two years ago and what they have today.

EXECUTIVE SESSION UNDER ORS 192.660(1)(d) - BARGAINING:

The Board recessed the regular session to go into Executive Session as allowed under ORS 192.660(1)d). Upon coming out of Executive Session, Commissioner Hyde moved and

Commissioner Corsiglia seconded to approve a Letter of Agreement regarding the 12 hour work week, with the Columbia County Deputy Sheriff's Union, amending Article 10 and Article 16 of the current bargaining agreement, effective March 17, 2004. The motion carried unanimously.


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

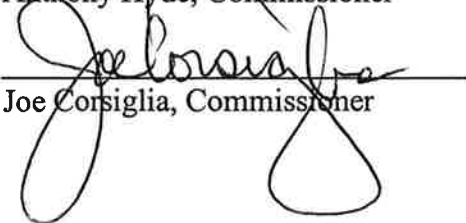
Dated at St. Helens, Oregon this 17th day of March, 2004.

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

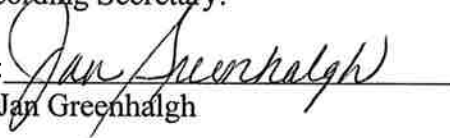
BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Rita Bernhard, Chair

By: 
Anthony Hyde, Commissioner

By: 
Joe Corsiglia, Commissioner

Recording Secretary:

By: 
Jan Greenhalgh