

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

March 23, 2005

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

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

MINUTES:

Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve the minutes of the March 16, 2005 Board meeting and March 16, 2005 Staff meeting. The motion carried unanimously.

VISITOR COMMENTS:

Peggy Crisp, 34571 Millard Road, Warren: Peggy approached the Board about the recently adopted Public Records Policy. As required, she filled out the request form to look at the Fair Board billings and made arrangements to come in and view them. When she came in to review the billings, she only received a portion of them. She doesn't see any reason why she cannot just continue to work with Ronda like she used to. She doesn't want any copies, just wants to review them. The Board needs to rethink what they have done with this policy.

Thelma Bonar, 56734 Way Lane, Warren: This public records policy has got her real upset and she is disappointed with this new policy. She understands there are confidential records that need to be kept confidential. She wanted to know why this was done. Commissioner Hyde explained the intent of the policy. The Board knew that once this policy was adopted, there would be a need for changes to make it more user friendly. The County wants to have a consistent and responsible manner in which the citizens can obtain public records while maintaining the integrity of the files.

Thelma stated that she had read a letter in the paper and wanted to research it. She was told she would have to fill out a request form. She doesn't have the time to fill out a form and wait for the information. All she is trying to do is help the public. She also commented on the way it was approved. It should have been discussed before being put on the consent agenda. Commissioner Hyde asked that if Thelma comes across an issue that could be streamlined, he would like to hear it.

Tammy Maygra, 34319 Cannan Road, Deer Island: Tammy addressed her concerns with the Public Records Policy. For the record, she is not sorry for the letter she wrote for the newspaper voicing her opinion on this policy. The fee schedule the Board adopted some time ago works just fine and she doesn't see the need for this new policy. There is no reason for the Board Secretary to be doing this extra work. Tammy is not happy about the new policy. It is too time

consuming and is a burden on the staff and the public. This whole thing is wrong. She told Commissioner Corsiglia that she is ashamed of him for doing this. Commissioner Corsiglia responded. He knows there are problems with this policy and there are plans to amend it to make it more streamlined. He feels that Tammy is taking the missing document issue personally. If she went to look at a file and it was empty, she would be upset and that is one of the reasons for this policy. The Board reiterated that this policy is going to be amended.

PUBLIC HEARING: INCREASE SPWF LOAN FOR TRANSFER STATION:

This was the time set for the public hearing, "In the Matter of Amending Order No. 16-2004 Authorizing an Increase in a Special Public Works Fund Loan for the Columbia County Transfer Station".

Sarah Tyson explained that there has been a change proposed in the amount of funding that will be requested in the amendment. Therefore, this hearing should be canceled. If and when there is a decision to change the amount requested, another hearing will be scheduled with a new public hearing notice.

At this time, Todd Dugdale addressed the following two items that deal with the SPWF loan for the Transfer Station.

REQUEST AMENDMENT TO SPWF LOAN TO INCREASE LIMIT & AMENDMENT #2 TO J.E. DUNN CM/GC CONTRACT:

Amendment #2 to SPWF Loan: Todd explained that the Board previously approved an increase in the original SPWF loan amount from \$2,875,589 to \$3,363,355. That amendment was to cover costs of added project elements including the Truck Wash/Maintenance Facility and expansion of the main Transfer building. Due to increased site preparation costs related to the removal of solid waste and other unsuitable soils from the site, further adjustments to the SPWF loan amount is necessary. The additional costs are reflected in Amendment #2 to the JE Dunn GMP. Staff has prepared a request for Amendment #2 to the SPWF loan to increase the borrowing limit for the project from \$3,363,355 to \$3,791,232. It is estimated that the requested increase will increase the annual debt service to approximately \$260,000.

Amendment #2 to JE Dunn CM/GC Contract: Todd stated that the site preparation phase of the Transfer Station project is nearing completion. The initial guaranteed maximum price (GMP) for the project was set by Amendment #1 to the Construction Management/General Contractor contract with JE Dunn. Amendment #1 was for \$1,799,566 and included the majority of the site preparation costs and purchase of the steel building packages. Amendment #2 to the GMP, including most of the remaining costs for the project must be authorized in order to complete site preparation and begin building construction. Amendment #2 is for \$1,920,079 for a total GMP of \$3,719,645. The remaining GMP costs under the JE Dunn contract are for off site improvement and will be handled through a final GMP amendment once off site contract costs are known.

After discussion, Commissioner Bernhard moved and Commissioner Corsiglia seconded to approve Amendment #2 to the JE Dunn CM/GC contract. The motion carried unanimously.

Further, Commissioner Bernhard moved and Commissioner Corsiglia seconded to amend the SPWF loan to increase the borrowing limit to \$3.7 million and authorize Todd Dugdale to submit to OECDD. The motion carried unanimously.

CONSENT AGENDA:

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

- (A) Ratify Select-to-Pay for 3/22/05.
- (B) Approve Partition Plat for Robert Hall.
- (C) Reappoint Herman McNeeley to the Farm Use Board of Review for a 2 year term. Term to expire on June 30, 2007.
- (D) Create a Firing Range Task Force and appoint the following members: Jerry Simmons, John Woodard, Dave Kraske, Lance Ritchie and Doug Greisen.
- (E) Approve 2005 Liquor Licenses Renewals for:
 - Mark's on the Channel;
 - Scappoose Bay Kayaking.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (F) Amendment #2 to the Contract between CCCC and Community Action Team for Vernonia After School Consortium.
- (G) Intergovernmental Agreement with ODOT for Commercial Vehicle, Driver and Cargo Inspection.

The motion carried unanimously.

LOCAL 697 GRIEVANCE - MEAL ALLOWANCE:

Mike Dunning, Shop Steward, brought before the Board a step 3 grievance dealing with section 16.7 of the Union Contract regarding meal allowance. He gave some background on the prior practice of how this was handled and how it should be handled. Prior to March 2004, there was an error in paying these allowances. Prior practice was not to pay the meal tickets until after a regular shift of 8 or 10 hours was paid, then once every three hours after that, a meal ticket was granted. Since March 2004, the new office manager has been paying the meal allowances (which they feel is the proper way) on anything outside of their regular scheduled work week. On a

weekend, after the first three hours, they would get a meal allowance and every four hours after that they would get another meal allowance. This has been the practice since March 2004 and up until the first part of this year. It stopped the first part of 2005 because an issue that came up about one of the Parks employees who questioned whether or not she should get a meal allowance for working on weekends. They are grieving this issue because the practice that was in place since last March has now stopped and they believe it is going against the contract. This is an argument defending themselves and defending the issues that they believe warrant their grievance to continue at Step 3. Dave Hill wrote a letter denying their grievance at Step 2. In Dave's letter, he basically said there is a time issue that has gone on for so long (prior to last March) that it seems untimely for the union to grieve this issue. Mike explained that this issue was just brought to them at the first part of this year. They went through Step 1 and Step 2 grievance process in a timely manner. They do not feel there is a time issue here, especially since the process for being paid the way they thought they should be paid was going on since last March. Further, Dave Hill signed off on those meal tickets for almost 11 months. Even if there is a disagreement about whether or not it should be paid, we have to go by what the contract says. Dave also feels that the interpretation of the language in Section 16.7 is unreasonable and he doesn't agree with their interpretation. Dave also asked where else does anyone pay out a meal ticket after just three hours of work. So they researched that and found that the Wauna Mill continues to pay their employees a meal allowance on days that they are not scheduled to work. Apparently, Boise Cascade used to do that and there may be others. It is a form of compensation for employees coming in and working on a day where they could be doing other things. One of Dave's arguments is that an employee must work beyond their normal regular work session. The contract states that their schedule is Monday through Friday, 8 hours per day for full time employees (unless on a modified work schedule for 4-10's). Anything outside of the Monday through Friday is considered outside of their normal work week schedule. Therefore, they believe that if they work on a day that is not part of their regular work schedule, a meal ticket should be earned after three hours of work and every four hours after that. Dave's letter questioned the unions integrity for presenting this grievance to this point. They take offense to that because they are only pursuing something they feel strongly about. In an e-mail that Dave sent to the Office Manager on 1/28/05, he asked what Dean McMann's interpretation of Section 16.7 was and that he would abide by the contract as they saw it and honor the union's interpretation. Dave went back on his word and instructed staff that no meal allowances were to be paid to any employee that does work more than 3 hours beyond their regular 8 or 10 hour day even if the work is done on the weekend. Again, this goes against the union's interpretation and they question why, if Dave feel his interpretation is correct, is the language in this section being amended in the new contract.

Dean McMann, Local 697 President. Dave also stated in his letter that he doesn't believe this grievance should be recognized, based on a technicality. He further states that he wants to hold this organization to a high standard of professionalism and integrity. The union supports that but does not believe that this high standard is just for union members, it should be for all employees. The union is not asking for anything they are not entitled to. If the Board reads the language in the contract, it is very clear that the meal ticket should be paid after 3 hours outside of the regular work scheduled. Again, the meal tickets are a form of compensation for working on a weekend.

Tom Phillips, Road Department, commented on the meal allowance. We are all supposed to be working as a team here, but it seems like every time they turn around, something else is being taken away. They don't get that much in the first place. They are just trying to do their job and be left alone.

Commissioner Hyde expressed some concern with a rift that may be between the employees and the Director. He just wanted to say that he has never seen a director of a department that stands up for his crew the way Dave Hill does. The union just needs to know that.

COMMISSIONER HYDE COMMENTS:

Commissioner Hyde attended the Job Fair last Wednesday. There were actually employers there taking application for hire. It was a very upbeat event.

On Thursday, he was in Salem attending an O&C meeting to discuss the re-authorization of PL 106.393 funding, which is very important to this county.

He also met with Tim Wood, Director of the State Parks Department regarding the Linear Trail. The State will eventually be the owner of the trail.

On Friday, he took a tour of the Transfer Station site.

Yesterday, the Board attended an all day facilitated planning session with all department heads. These are very productive meetings that the Board holds annually.

COMMISSIONER CORSIGLIA COMMENTS:

Last Friday, he attended another meeting regarding the future of the River Queen.

On Saturday, he attended a Kiwanis fund raiser in Clatskanie

There is some sadness in the courthouse with the passing of a long time employee, Michele McCarthy.

COMMISSIONER BERNHARD COMMENTS:

Commissioner Bernhard commented on the facilitated meeting the Board held with the department heads yesterday. The Board has been doing this for some time now and feels it has made a big difference in communication, planning, etc.

She also attended the Job Fair last week. It was very well attended and many employers were present to take applications.

The County is still working on the RFP process for a more permanent transportation system

She attended a Citizens Emergency Response Team training at the Tech center.

Friday night, she attended a health care rally at Safeway. The rally was to make people aware of the health care issues around the state. People were encouraged to contact their legislators regarding some health care bills before the legislature.

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 Bernhard moved and Commissioner Corsiglia seconded to deny the meal allowance grievance filed by Local 697. Under discussion, Commissioner Corsiglia would like to amend the motion to reflect that staff is being directed to research possible enhancement of the meal ticket portion of compensation during future contract negotiation. Commissioner Bernhard amended her motion to include that language. The motion carried unanimously.

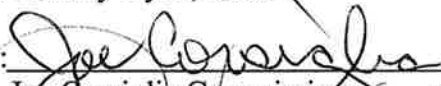
With nothing further coming before the Board, the meeting was adjourned.

Dated at St. Helens, Oregon this 23rd day of March, 2005.

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

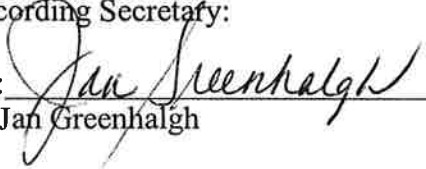
BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Anthony Hyde, Chair

By: 
Joe Corsiglia Commissioner

By: 
Rita Bernhard, Commissioner

Recording Secretary:

By: 
Jan Greenhalgh