

COLUMBIA COUNTY BOARD OF COMMISSIONERS  
BOARD MEETING

MINUTES

December 1, 2010

The Columbia County Board of Commissioners met in scheduled session with Commissioner Anthony Hyde and Commissioner Earl Fisher, together with Sarah Hanson, County Counsel, Robin McIntyre, Assistant County Counsel and Jan Greenhalgh, Board Secretary. Commissioner Bernhard was not present.

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

**MINUTES:**

Commissioner Fisher moved and Commissioner Hyde seconded to approve the minutes of the November 10, 2010 Board meeting; November 10, 2010 Staff meeting; and November 23, 2010 Work Session. The motion carried unanimously.

**VISITOR COMMENTS:**

*Larry Karnoski, 35167 Millard Road, St. Helens:* He wanted to ask the Board what they are doing as a result of the passage of Measure 5-209. This is a mandate of the voters and the Commissioners need to do whatever they can to stop the collection of taxes, refund the monies not yet spent and from the sale of the property and disband the Community Health District. The original measure stated that no monies were to be used for Public Health, yet by their own admission, money is being taken from the hospital fund and given to Public Health. Public Health is for the entire county and needs to be funded by the entire county, not just from those in the hospital district. This is simply not fair and he cannot understand how this is happening and for so long. The Board of Commissioners need to carry out the intent of this measure. There are lot of people that are upset about this and he is personally very upset about this. Again, any money than can be recouped should be refunded to the citizens who paid into it. He reminded the Board that this originally got on the ballot by the Commissioners when it should have gone to the voters. It's time they stop it.

*Nancy Whitney, 40 Wagner Avenue, St. Helens:* It is her opinion that, due to their total irresponsibility with the way they handled the hospital money, Jay Tappen and all of the Public Health Board members have disqualified themselves from ever having their hands on public money again. She believes that the Board of Commissioners have an obligation to find someone else to manage Public Health.

*Tammy Maygra, 34319 Cannan Road, Deer Island:* She is here to discuss the hospital issue. The people came before the Board on November 10<sup>th</sup> and were very upset that

their vote wasn't being taken seriously. The people were told to give the Board some time to sort this out. She spoke with Commissioner Hyde that afternoon who stated she would be pleased with what the CHD Board had decided to do. The people are not pleased just because they decided to stop the hospital project. They can still collect the tax dollars. Commissioner Hyde has stated in the past that he is a steward of the peoples money and she believes he has done that fairly well.

She would ask that he speak to the Health Board and let them know that they are doing a great injustice to the voters in this special district. It needs to come to an end and no more money needs to be spent. The people are not against public health, it is a needed service, but the health board members need to be replaced.

She believes that because of the way this hospital district is being handled, people do not want to vote in any other money issues because of the misuse here. The hospital board just needs to step up and do what's right. At the last public health meeting, their attorney said that the Commissioner's need to either enforce the ballot measure or stand behind the hospital board in their decisions. The people need to see that the Commissioners are doing something and quickly.

*Georgia Keiper, 34403 Sykes Road, St. Helens:* She would like to know if the Board has made any decision yet on what they are going to do on the hospital issue. Commissioner Hyde stated that the Board has not yet made a decision. Georgia then read her written comments into the record. The whole pretense of the original initiative was to form a health district to collect taxes to build a critical access hospital. From the time the hospital board first knew that they could not meet the criteria to build a critical access hospital, their pretense for existence ceased to exist. When the second application for a certificate of need was denied, again their pretense for existence ceased to exist. On November 2<sup>nd</sup>, the people voted to stop this project and a refund of their tax dollars and again, the pretense for the existence of the hospital district ceased to exist. All of this started prior to the disbursement of the tax payments to the health district and yet the Board is unwilling to do anything to prevent this. Commissioner Hyde wanted to clarify the difference between "unwilling" and "unable" and unable is the way it is. If the Commissioners truly heard the vote of the people and knew that the Public Health Board had stopped all work for a hospital, they could have taken steps to stop that additional disbursement of tax dollars at the very least. This issue could have been resolved a long time ago and again, she is asking the Board to do what they have been asked to do by the people.

*Peggy Crisp 34571 Millard Road, St. Helens:* Peggy asked if there is any chance that the people can read in the newspapers next week the Commissioners have taken action and, if not, why. Commissioner Hyde stated that isn't physically possible and as for why, it's not legal. Peggy stated that there are ORS's that allow for this and the Board just recently dissolved the Scappoose Parks District. Commissioner Hyde

stated that took 10 years to do. Peggy hopes this doesn't take near that long. She would hope that this is done before January 1<sup>st</sup>, because Commissioner Bernhard was here to get it put it on the ballot and she should be here when it gets taken care of.

Tammy Maygra asked if the Commissioners are seeking a legal opinion on if the ballot measure was legal? Commissioner Hyde stated that the Board is working on the legal issues. Commissioner Fisher said that once they have a better idea of the process, they will share that with the people. The Board would like to see this go away as quickly as everyone else.

Larry asked if the Commissioners are looking into an audit dealing with the misuse of funds. Commissioner Hyde stated that Public Health is subject to annual audits

*Stewart Foreman, 58985 Timberline Avenue, Warren:* He went to the last CHD meeting and they thought selling the hospital property was as good idea and will be contacting an realtor. Stewart wanted to know who actually owns the property and what will happen to that money.

Tammy said that she asked the hospital board what they are going to do with the proceeds from the sale of the property and they didn't know. Tammy feels that needs to be watched closely to see where that money goes. There needs to be protection for the voters and taxpayers in any district that is formed.

The Board understands this matter needs resolutions and they will be working on that.

**HEARING: RENEWAL OF AMBULANCE SERVICE FRANCHISES:**

This is the time set for the public hearing, "In the Matter of Soliciting Public Input on the Applications for Renewal of the Ambulance Service Franchises".

Sarah stated that, pursuant to the County ordinance, franchises are granted for 5 year terms and the current term expires December 31<sup>st</sup>. Renewal forms were sent out and returned from the existing franchisees. The Board has a recommendation from Derek White, Ambulance Administrator. The ordinance requires that a public hearing be held to solicit input on the applications.

Derek added that the process allows the county to ask for renewals from the franchisees unless they show a desire not to continue further service. We have followed that process and applications were received back. Both County Counsel and himself have reviewed the applications to ensure that they are legally and financially able to

provide service. All have demonstrated in the past five years that they have been able to provide service to the public within the scope of the Ambulance Service Area Plan and Ordinance No. 90-23. It is his recommendation that the Board approve these franchise renewals.

Commissioner Fisher wanted to disclose that he is the Chairman of the Clatskanie Fire Board, but does not feel he has a conflict of interest and receives no monetary compensation.

The hearing was opened for public testimony.

*Theлма Bonar, 56734 Way Lane, Warren:* She is here to compliment the ambulance service we have in this county. We couldn't have a better service and people need to know that. She has used their services a few times and they are amazing. On another note, ambulance service was a big issue for the hospital district because so many ambulances were transporting patients to Portland. She referred to the ordinance and, as she reads it, they are not allowed to take people to Portland, just in Columbia County. She does not quite understand that, but she is in favor of the ambulance service continue.

With no further testimony coming before the Board, the hearing was closed for deliberation.

Commissioner Fisher feels that the proposal is fair and adequate so services can be continued. He agreed with Ms. Bonar that our ambulance services in Columbia County are exceptional. He also noted that many of these people are volunteers. He is very supportive of this. Commissioner Hyde echoed those comments and feels this is a very important service to our communities.

After deliberations, Commissioner Fisher moved and Commissioner Hyde seconded to approve the following:

- Order No. 72-2010, "In the Matter of Renewing a Franchise for Ambulance Services to Scappoose Rural Fire Protection District for Service Area 2 [Scappoose]"; and
- Order No. 73-2010, "In the Matter of Renewing a Franchise for Ambulance Services to Columbia River Fire and Rescue for Service Areas 3 [St. Helens] and 4 [Rainier]"; and
- Order No. 74-2010, "In the Matter of Renewing a Franchise for Ambulance Services to Clatskanie Rural Fire Protection District for Service Area 5 [Clatskanie]"; and

- Order No. 75-2010, "In the Matter of Renewing a Franchise for Ambulance Services to Mist-Birkenfield Rural Fire Protection District for Service Area 6 [Mist-Birkenfeld]"; and
- Order No. 76-2010, "In the Matter of Renewing a Franchise for Ambulance Services to Metro West Ambulance Service for Service Area 7 [Vernonia]".

The motion carried unanimously.

**CONSENT AGENDA:**

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

- (F) Ratify the Select to Pay for 11/30/10.
- (G) Order No. 71-2010, "In the Matter of Declaring Certain Personal Property Owned by Columbia County to be Surplus to the County's Needs and Directing the Disposal Thereof [Unmet Needs Committee Surplus Property]."
- (H) Approve the waiver of the temporary medical hardship renew fee of \$236 for Louise Galloway.
- (I) Approve the request to fill the Transit Coordinator position and direct the Human Resources Director to proceed with the recruitment process.
- (J) Reappoint Tobie Finzel to the Columbia County Cultural Coalition Committee for a three (3) year term.

**AGREEMENTS/CONTRACTS/AMENDMENTS:**

- (K) Art Project Release Agreement with Robert Tidwell.

The motion carried unanimously.

**COMMISSIONER HYDE COMMENTS:**

Commissioner Hyde has been working with all other counties on what to expect with the upcoming legislative session, considering the \$2.2 billion shortfall. With the counties being the delivery system for State services, we're worried because we have our own budget that is not so good. With so many mandated services from the State, we will need to see if the funding will be forth coming.

Commissioner Hyde commented on the Secure Rural Schools, a funding source that used to bring in about 25% of our discretionary revenue. That is now down by 35-40% this year, 60% next year and the year after that, it goes away. This is a \$2.2 million hit to Columbia County. So he is working with many others on getting that funding reauthorized.

**COMMISSIONER FISHER COMMENTS:**

Commissioner Fisher wanted to publicly thank the SHFCU for the work they did for the County during the tax season. November 12<sup>th</sup> was a county furlough day, the Friday before 11/15 and people were rushing to pay their taxes. The SHFCU was the only place open to receive tax payments and their staff worked very hard on this.

Unfortunately, there was another fatality on Hwy 30 yesterday in the Rainier area. This reemphasizes the need for the ODOT traffic safety study they are conducting on Hwy 30.

He encouraged those visiting the courthouse to check out the art work being displayed. These are works by our local artists.

Regarding the public comments today on the hospital district, he understands this is a very complex issue. One would assume it could be done simply, but that is not the case. This matter will work it's way through the system but it will take some time.

Commissioner Hyde wanted to mention that 3 years ago Friday, this county experienced a very devastating flood. One area hardest hit was Vernonia and their entire school district, \$108 million in damage. Thursday of this week he will be taking part in the ground breaking of the new school. He appreciates all the efforts put forth on this project, State, Federal and local agencies. Even the people of the community stood up to help on this. It will be a very proud moment.

**COMMISSIONER BERNHARD COMMENTS:**

Not present.

There was no Executive Session held.

*BOC Minutes*

*12/1/10*

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

Dated at St. Helens, Oregon, this 1<sup>st</sup> day of December 2010.

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: \_\_\_\_\_

Earl Fisher, Commissioner

Recording Secretary

By: \_\_\_\_\_ Not Present

Rita Bernhard, Commissioner

By: \_\_\_\_\_

Jan Greenhalgh, Recording Secretary