

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

WORK SESSION MINUTES

October 11, 2011

The Columbia County Board of Commissioners met in a scheduled work session at 10:00 a.m. with Commissioner Earl Fisher and Commissioner Henry Heimuller, together with Robin McIntyre, Assistant County Counsel and Jan Greenhalgh, Board Secretary. Commissioner Hyde was not present.

Commissioner Fisher called the meeting to order.

DEER POINTE MEADOWS MOBILE HOME PARK:

Michael Kacinski and Gary Artman, DEQ, were present to discuss the septic system issues at the Deer Pointe Meadows mobile home park. Michael is the on-site program manager for DEQ and Gary Artman, is the permit and compliance person for this mobile home park.

Michael received complaints approximately 2 years ago about one of the septic systems that was failing. He did a site visit and did not observe a failure however that was during the summer. During the winter with higher waters, they did find a failure and an enforcement action was filed against the owner of the park. DEQ basically left it up to the owner to make a proposal on how he was going to fix the problem. DEQ has an enforcement order out to the park owner for signature but does not believe he has signed it and only has until this Friday to do so.

Commissioner Heimuller asked how many months the owner has from the time the order is sent out and he has to sign it. Commissioner Heimuller was given information back in the spring that DEQ was on this case and that the park owner had been given an enforcement order and a fine to get this fixed. With the thought that this was be fixed during the summer months and mitigated before the winter months hit again. Gary stated that there are two issues. The permit does not allow the owner to operate a failed sewage disposal system. DEQ prepared the initial enforcement order, then debated whether that was going to be sufficient to prevent another discharge, so the order was redrafted and sent to the owner approximately 3 weeks ago. He is still not allowed to discharge but DEQ wants to extend him the opportunity to get a proposal to DEQ to fix the problem - short of removing homes. Commissioner Heimuller asked where the sewage is going if the owner is not allowed to discharge into the failed system. Gary stated that if the owner cannot come up with another solution to either fix the system, install another

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system, redirect some of the flow from the mobile home park to the other existing systems without overloading them, he will have to remove the source of the sewage which is the individual mobile home residences. Commissioner Heimuller asked how much time does he have to do that. We are rapidly approaching the rainy season and the area is going to be a mud hole - how does someone mitigate the problem in that type of a weather situation? Gary does not believe that the order gave any specific time to fix it - it allows for the owner to continue to contact DEQ with a solution. However, Gary believes the order has some language in it that the owner will not be allowed to discharge during the winter. Commissioner Heimuller asked if DEQ knows which mobile homes discharge into the failed lines.

Gary stated that, based on an old map, he can come close. So based on past history, Commissioner Heimuller felt that if nothing changes and the rain comes and water levels go up, there is going to be actual discharge on the ground. He has some concerns that it is all being left up to the owner and he can drag it on for months.

Gary stated that the owner has been told that he cannot operate a failed sewage system and he needs to be prepared to disconnect those residences to stop the overload. So as Commissioner Heimuller understands it, if someone, anyone, sees sewage on the ground, the owner will have no choice but to remove those mobile homes. Yes, DEQ would have the owner sign the order affirming that. Gary stated that once that order is signed, it is public record for anyone to see.

Commissioner Heimuller stated that this issue has taken a great deal of the Board's time and, in reviewing a lot of the documents dating back to the early to mid 1990's, this has been a problem for many years. This is a public health issue and seems to have been ignored for years. Again, another construction season has been wasted even though Commission Heimuller was given some assurance last April-May that, because DEQ actions and fines, the park owner was going to mitigate these problems before this winter. Gary went over some of the things that have been addressed by the owner to help mitigate problems. Gary stated that DEQ is still trying to allow the owner to do what he needs to do, although not as quickly as we all would like to see. The owner is working with engineers to get the issues totally corrected.

After lengthy discussion, Michael and Gary stated that they will keep the Board updated on this situation.

TRANSIT FACILITY UPDATE:

Janet Wright, Todd Dugdale and Bill Potter were present to give an update on the Transit Facility. The facility is nearing completion of Phase I, which includes

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the completion of the administrative building, the maintenance building, some parking and circulation areas. Due to budget over-runs, which include the environmental assessment and cleanup, the additional costs of re-engineering and moving the maintenance building, the project cannot be completed with the existing funding. The remaining work to be done includes the removal of the rail road spur, landscaping, completion of the environmental cleanup through DEQ and capping of the unsuitable solid area with parking and a few minor details that were deferred to save money.

The City of St. Helens will not allow occupancy of the facility until rail spur removal and landscaping are complete. They have indicated that we could apply to the St. Helens City Council to defer some of the work only if we can enter into a formal agreement to complete the work within a given time frame. However, it would be necessary to include reference in the agreement to a performance guarantee, which the County may not be in a position to provide until additional project funding is secured.

Janet reviewed the grant funds that may be available to complete the project, i.e., the Flex Fund grant program of \$50,000 to \$1 million; Connect Oregon IIII funding; and ARRA dollars. The Flex application is due October 20, 2011 and she is currently working on completing that application. She is also working with the consultants on cost estimates to do some additional things as outlined in her handout, i.e., additional parking and paving. Once that information is available, Janet will submit applications to ODOT for grant funding.

Janet also reviewed three options for completing environmental site contamination management: 1) Voluntary Cleanup. This option would be expensive and DEQ indicated that it would slow down further development; 2) Independent Cleanup; or 3) Move forward with consultant's plan and not seek "No Further Action" with DEQ. After discussion, there was Board consensus go with option 2, the independent cleanup.

Regarding the grant application(s), *Commissioner Heimuller moved and Commissioner Fisher seconded to authorize Janet Wright to apply for flex funding and ARRA funding for the transit facility. The motion carried unanimously.*

FINANCE DEPARTMENT:

The Board held some general discussion with Jennifer Cuellar regarding the staffing

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and software needs of the Finance Department. No action was taken at this time.

There was no Executive Session held.

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

Dated at St. Helens, Oregon this 11th day of October, 2011.

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: Not Present

Anthony Hyde, Chair

By: _____

Earl Fisher, Commissioner

Recording Secretary:

By: _____

Henry Heimuller, Commissioner

By: _____
Jan Greenhalgh, Board Secretary