

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING
MINUTES
February 9, 2022

The Columbia County Board of Commissioners met virtually in a scheduled session with Commissioner Henry Heimuller, Commissioner Margaret Magruder and Commissioner Casey Garrett together with, Sarah Hanson, Senior County Counsel, Robin McIntyre, Sr. Assistant County Counsel, and Jacyn Normine, Board Office Administrator via telecommunication with County staff and members of the public.

CALL TO ORDER

Commissioner Heimuller called the February 9, 2022 meeting to order at 10:00 A.M.

MINUTES

Commissioner Garrett moved to approve the minutes from the February 2, 2022 Board meeting minutes and Commissioner Magruder seconded. The motion carried unanimously.

VISITOR COMMENTS - 3 MINUTE LIMIT:

No Visitor Comments

DELIBERATIONS:

Robin McIntyre, Sr. Assistant County Counsel talked about the Application by NEXT Renewable Fuels, Oregon, LLC for a Use Permitted Under Prescribed Conditions, Site Design Review and Variance for a Renewable Diesel Production Facility at Port Westward (DR 21-03; V 21-05) and a Conditional Use Permit for a Rail Branchline near Port Westward (CU 21-04) and all the steps that have been taken so far.

Robin would like to admit the comments from the first open record period. Those are on the website and the public can click the agenda and it will take you right to it. I also would like to admit the written rebuttal from NEXT Renewables that is also on the website. I do want to note that there were comments received during the rebuttal period that are not admitted in the record because they did not address evidence and testimony received during the open record period. Those are comments from Jan Bays, MD, Barbara Green, Helen Shaw, Mark Uhart, and Sandra Moilanen. Those are not in the record because they did not constitute rebuttal. I would also like to admit the applicant's final argument that was received on February 7. That argument did obtain some attachments but those attachments were already admitted into the record.

With all the comments that were received, the staff has some revised recommendations to present to the Board. If you recall the County has hired a planning consulting to assist with this application due to the severe staff shortages. That consulting firm is Winterbrook and Jesse Winterrowd is here to explain the revised recommendations. Before I turn this over to Jesse, I would like to note, to those listening, that a decision made by the Board today is not final until it is put in writing and notice is sent.

Jesse Winterrowd from Winterbrook updated us on the Staff's Revised Recommendations. He presented the conclusions, recommendations and conditions based on the following findings, if the Board finds: 1. the delineated wetlands on the site are not "significant" consistent with DSL recommendation; 2. the proposed renewable fuel facility and associated development (including the rail branchline) are "water-related" uses consistent with the applicant's definition; and 3. The proposed rail development meets the definition of a "rail branchline" consistent with Portland & Western Railroad's definition. FACILITY (DR 21-03 and V 21-05) Planning Staff recommends

APPROVAL of this Type II Site Design Review, Use Permitted under Prescribed Conditions in the RIPD Zone and Variance (DR 21-03 and V 21-05) to allow the development of the proposed renewable fuel facility and associated development for the Tax Lot numbers: • Port of Columbia County: 8422-00-00100, 8422-00-00200, 8422-00-01100, 8421-00-00700, 8416-00-00200, 8416-00-00300 • NEXT Renewable Fuels, Inc.: 8422-00-00300. Jesses then explained the conditions of approval. Then he explained Rail Branchline (CU 21-04) planning staff recommends APPROVAL of this Type III Conditional Use (CU 21-04) to allow the development of the proposed rail branchline on properties within the PA-80 Zone associated with the Tax Lot numbers: • Port of Columbia County: 8421-00-00600, 8422-00-00400, 8422-00-00500, 8422-00-00600, 8423-B0-00700 • De La Cruz: 8423-B0-00800. Jesse explained the conditions of approval of the Rail Branchline.

Commissioner Magruder thinks this has been a very interesting application process for all of us and very informative. I have a long history with the property out there on Port Westward. I ran livestock on the base property even before the rail line and the igloo, which were used for ammunition was stored during the WWII and the Korean War, were removed. I appreciate all the conditions that are being met by the applicant. This application is to site on land that is zoned for industry. The NEXT Energy project is certainly an appropriate project to site there. I have no objections as long as these conditions are met. I think they will be a good neighbor and certainly are addressing the climate change issues relating to carbon with their renewable fuel.

Commissioner Garrett says the bottom line it is our job to see if the application meets the criteria laid out here. The application is thorough and the staff report thorough. I think that they have provided a path for success for the project as long as they meet the conditions laid out. I look forward to seeing the project be successful. I'm supportive.

Commissioner Heimuller would like to thank Robin McIntrye from our County Counsel, Winderbrook folks that have stepped up to the plate and helped us out while we are having some staffing issues, and Planning staff and Land Development Services that have been working on this for a very long time. Also the responsiveness of the applicant and their paper work and documentation of their clearance is synced. And probably more important than anything else is the public input that has come into this hearing process. Whether you been supportive or opposing this project all of that plays into the ten or fifteen pounds of paper work on our desk that we have been going through. We appreciate your input, this is what the process is all about. I look back at conversations over the years from people in the public that wanted the County to be looking for a company that was a Green energy project to site at Port Westward. We are always looking for companies to come to Columbia County through our Economic Team and with the Cities. When NEXT came knocking on our door we thought this was a good Energy project. There are some people out there that think that a Green project is only windmills or solar panels or things of that nature. When you see a project that is going to produce a product that will reduce that amount of fossil fuels used to provide transportation around your state and region, that is a start, and it is green. Even for people that don't like big business or oil companies or perceive that any large company is bad that we need to remember that at some point this week you are going to go out and drive your car and go somewhere. This is a step in the right direction to get us away from the dependency of fossil fuels. As we head towards electrical vehicles we have millions of trucks and vehicles out on the road and will have them out there for a very long time. Whatever can be done to help reduce our carbon footprint and improve your air quality, those are steps we need to take. I'm proud to know that we might have the possibility to have that right here is Columbia County. Because of our transportation infrastructure it is a relatively good fit, it seems like by their plan. I did have some concerns like the ones talked about in the hearing, the branchline. After a tremendous amount of research by myself and Counsel McIntrye with help from ODOT rail, all of my concerns were answered. The fact that this is separated into two separated projects that are very detailed, also alleviated many of my concerns on how the project was going to work and how the rail project would look in feeding

stock to the plant and taking fuel away at times. The branchline questions I had before were sufficiently answered. In addition to saying thank you to everyone, the rail issues are answered for me. The water runoff impacts on local farm land and transportation concerns have been adequately assessed. I think those are being sufficiently answered to my satisfaction but maybe not for others. I believe that the application meets the criteria. While putting a green energy project on Port Westward which also answers a lot of public concern. I intend to be supportive of this application.

Commissioner Magruder moved to tentatively approve Application by NEXT Renewable Fuels, Oregon, LLC for a Use Permitted under Prescribed Conditions, Site Design Review and Variance for a Renewable Diesel Production Facility at Port Westward (DR 21-03; V 21-05) subject to the conditions set in the Staff revised recommendations, Commissioner Garrett seconded. The motion carried unanimously.

Commissioner Magruder moved to tentatively approve Conditional Use Permit for a Rail Branchline near Port Westward (CU 21-04) by NEXT Renewables subject to the staff revised recommendations, Commissioner Garrett seconded. The motion carried unanimously.

Robin McIntyre, Sr. Assistant County Counsel reminded the public that staff will be bringing a final order to your future agenda that is set for February 23, 2022 and then a notice will be sent to the parties at that time.

CONSENT AGENDA

Commissioner Heimuller read the consent agenda, agreements, contracts and amendments as corrected to item C adding Vector and District to the Columbia Drainage Vector Control District. Commissioner Garrett moved and Commissioner Magruder seconded to approve the consent agenda, agreements, contracts and amendments as corrected. The motion carried unanimously.

- A. Ratify Select to pay for the week of January 31, 2022
- B. Resolution No. 5-2022 In the Matter of Adopting the 2020 Columbia County Multi Jurisdiction Natural Hazard Mitigation Plan Update
- C. Appoint Norman A. McKeaugue-Foster to the Columbia Drainage Vector Control District position #4 with a term to expire December 31, 2025 and authorize the Chair to sign
- D. Appoint Dale Webb to the CZ Trail Advisory Committee, position #3 with a term to expire on December 31, 2024 and authorize the Chair to sign
- E. Appoint Les Watters to the CZ Trail Advisory Committee, position #4 with a term to expire on December 31, 2024 and authorize the Chair to sign
- F. Approve the 2022 Renewal for Off Premises Sales Liquor License for Scipio's Goble Landing in Rainier, OR.

AGREEMENTS/CONTRACTS/AMENDMENTS

- G. C140-2021 Personal Services Contract by and between Columbia County and Seth Battles
- H. C184-2021 Subaward Agreement with SAFE of Columbia County for Outreach and Advocacy for Survivors of Abuse- Justice Reinvestment Program
- I. C185-2021 Subaward Agreement with AMANI CENTER for Child Abuse Assessment and Family Support Services
- J. C9-2022, Lease Agreement with St. Helens School District for School Based Health Center at 2370 Gable Road, St. Helens, and Authorize Chair to sign

- K. C10-2022 Oregon Military Department Office of Emergency Management Emergency Management Performance Grant CFDA# 97.042 Columbia County \$84,209.00 Grant No. 21-505.

DISCUSSION ITEMS

1. Adult Probation Office Staffing: Erin Welch, Community Justice Director requested to fill an Administrative Assistant position for the Community Justice Department. **Commissioner Garrett moved to approve Community Justice to recruit for an Administrative Assistant position 1 or 2. Commissioner Magruder seconded. The motion carried unanimously.**
2. Order Designating Persons in Charge; Ed McGlone, County Counsel presented a drafted order that would designate certain people to be able to have someone removed from County facilities for not following rules or regulations of the property. Ed McGlone will bring this back.
3. HB 4063-Substantial Completion; Robert Wheeldon, Land Development Services, presented HB 4063 which proposes to require that local governments provide building permits for residential subdivisions before roads are paved and before plats are recorded, among other things. It also requires that local governments provide temporary addresses for residential subdivisions. All of this seems to be in the context of streamlining processes related to affordable housing developments. After discussion it was decided that the staff will monitor this situation and if the Board needs to meet again they can do that.

COMMISSIONER GARRETT'S COMMENTS

Today was a good meeting. Glad to see the NEXT application going to the next step. I'm going to be optimistic and hope that all goes well. Happy Valentine's Day coming soon! We won't be meeting next week so we won't have another meeting before Valentines Day. I better get that straight because I have a few Valentines to get set up. Nathan's background is great. I keep waiting for a hummingbird to attack his head. It looks good Nathan and I am jealous. I'm happy to be here and happy for the weather. I'm looking forward to next week. I appreciate everybody.

COMMISSIONER MAGRUDER'S COMMENTS

I was so locked in on the subjects today like the NEXT Renewables and the discussion we just had on HB 4063 that I didn't plan any commissioner comments. I will be following up with Association of Oregon Counties legislative committee to see how they came out on HB 4063. I don't see any testimony from the hearing on Monday. It is supposed to be 50 degrees today, that means that when the Groundhog didn't see his shadow on the second that we get an early spring. Happy Valentine's Day everyone. It is Budget season here at Columbia County. It has already been a great week, meeting with department heads and going over their budgets with them. Always a learning experience and I appreciate all of them.

COMMISSIONER HEIMULLER'S COMMENTS

Volunteer opportunities are coming up. We will need some help with the Easter egg hunt at the Fair Grounds. The fair is also coming, the third week in July. We will need close to 150 volunteers every day. If you would like to volunteer please call the fair office and get set up to help out, 503-397-4231. Keep in mind it is not only on fair week.

It takes months to get ready. With our friends from Means Nursery that provide us with all the flowers out there, mowing, and many other projects. There are a lot of organizations that will need volunteers: Elks, Rotary, Kiwanis, or whatever organization you want. They need help especially coming out of winter and going into spring. If you are over 55 please call Monica Cade at the Local RSVP and get out and find something to do. If you can't find anything to do please call me or email me. It is time to climb out of this Covid environment a little bit. Find some community activities to do for our own good and our neighbors.

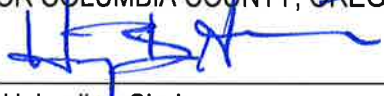
EXECUTIVE SESSION

No Executive Session

ADJOURNMENT


With nothing further to come before this Board, we will adjourn this meeting.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Henry Heimuller, Chair

By: 
Jacyn Normine, Board Office Administrator

By: 
Casey Garrett, Commissioner

By: 
Margaret Magruder, Commissioner