

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING
MINUTES
February 23, 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, 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 23, 2022 meeting to order at 10:00 A.M.

MINUTES

Commissioner Garrett moved to approve the minutes from the February 9, 2022 Board meeting minutes and the February 9, 2022 Board work session minutes. Commissioner Magruder seconded. The motion carried unanimously.

VISITOR COMMENTS - 3 MINUTE LIMIT:

No Visitor Comments

HEARING:

Text Amendments to Columbia County Zoning Ordinance Section 500 pertaining to Template Forest Land Dwellings and Family Forestry Accessory Dwellings in the Primary Forest (PF-80) and Forest/Agriculture (FA-80) Zoning Districts.

Robin McIntyre, Sr. Assistant County Counsel introduced File Number TA 22-01 "Text Amendments to Columbia County Zoning Ordinance Section 500 pertaining to Template Forest Land Dwellings and Family Forestry Accessory Dwellings in the Primary Forest (PF-80) and Forest/ Agriculture (FA-80) Zoning District". Counsel McIntyre explained the hearing procedures and entered the Legal Counsels File into the record as Exhibit 1.

Deb Jacob. Sr. Planner, presented the staff report with the request to amend Columbia County Zoning Ordinance (CCZO) Section 500 requirements for "Template Dwellings" in the Primary Forest (PF-80) and Forest/ Agriculture (FA_80) zoning districts pursuant to Oregon House Bill 225. Amend CCZO Section 500 to permit "Family Forestry Accessory Dwelling Units" in the Primary Forest Zone (PF-80) and Forest/Agriculture Zone (FA-80), pursuant to Oregon House Bill 2469.

The first public hearing on the proposed map amendments was held on November 15, 2021 before the Columbia County Planning Commission. The Planning Commission heard the County Planning Staffs presentation on November 5, 2021. After hearing testimony from the

public, the Planning Commission deliberated and then voted to recommend *approval* to the Board of Commissioners for the text amendments requested for TA22 -01 with no revisions.

The proposed Legislative Text Amendments to the Columbia County Zoning Ordinance (CCZO) as proposed in LDC File No. TA 22-01 are consistent with the provisions of HB 2225 and HB 2469 and will allow Columbia County to incorporate these statutory requirements with forest dwelling provisions in CCZO Section 500.

The floor opened for Public Testimony

Will Walker from Clatskanie, asked if the County has no choice but to accept this as top down legislation from the State, and the county cannot change it and is only implementing the minimum requirements? Robin McIntyre says that is correct. It is required with State statute and we are doing the minimum requirements.

Alta Lynch, Scappoose, asked if there is a family illness, death, or something like that can they still have someone residing in those homes to help manage the property even if they are not related. Deb says that the second dwelling is for the family members only. Alta Lynch asked if we can have a provision that might help someone not lose their home. Deb says that we might be able to do a hardship home. Once that is no longer needed then the second home would need to go back.

Commissioner Magruder asked about the definition of family and wants to know if an adopted child would be acceptable. Robin McIntyre says that as long as it is a legal adoption then it would work.

Commissioner Garrett asked when you sell these properties that if the new seller has no family do they need to leave those homes empty. Deb says that is her understanding. This is only allowed for family forest dwelling.

Commissioner Heimuller asked if we can close the record today and make a tentatively decision today? Robin McIntyre says that would be okay. There is no reason to leave it open and we are only putting in the minimum requirements. No one has asked for the record to stay open at this time.

The floor closed to Public Testimony.

DELIBERATIONS

Commissioner Magruder thanked everyone for answering her questions. We really have no choice then to move forward and I am sure in time that somethings that will need to be ironed out. I'm in approval to tentatively approve this today.

Commissioner Garrett says that there are plenty of things in this that he wouldn't support if he had any choice. Are there any provisions that need to be place like hardship permits or is that something that already qualifies? Robin McIntyre says that we already have those hardship provisions included so we don't need to do that before we approve this. Commissioner Garrett has nothing more at this time.

Commissioner Heimuller stated that we need to figure out how to get this information out far and wide, so the people that have the two years to construct those homes on those properties have every opportunity.

Commissioner Magruder moved to tentatively approve TA-22-01 Text Amendments to Columbia County Zoning Ordinance Section 500 pertaining to Template Forest Land Dwellings and Family Forestry Accessory Dwellings in the Primary Forest (PF-80) and Forest/Agriculture (FA-80) Zoning Districts. Commissioner Garrett seconded. The motion carried unanimously.

Formal approval will come back to the Board of Commissioners in an Ordinance at an upcoming meeting.

CONSENT AGENDA

Commissioner Heimuller read the consent agenda, agreements, contracts and amendments in full. Commissioner Garrett moved and Commissioner Magruder seconded to approve the consent agenda, agreements, contracts and amendments as presented. The motion carried unanimously.

- A. Ratify Select to pay for the week of February 7, 2022 & February 16, 2022
- B. Ratify PO No. 2200000251 with Tangent Computers for Change Order for Office 365 and
Authorize Louise Kallstrom to sign
- C. Corrected C157-2021 Public Services Contract with Automon LLC for AIMS Pretrial Software
- D. Renumber The Grant Agreement Between Columbia County and Columbia-Pacific Economic Development District for Broadband Feasibility Study to C193-2021
- E. Resolution No. 7-2022, In the Matter of Adopting the Fleet Replacement Plan for the Columbia County Public Works Department
- F. Order 8- 2022 In the Matter of Adopting Findings Concerning the Feasibility of Using the County's Personnel and Resources to Operate Columbia County Rider (CC Rider)
- G. Approve Letter of Authority under the Columbia County Enforcement Ordinance for Melissa Adams, Land Use Compliance Specialist
- H. Approve 2022 Renewal - Off Premises Sales Liquor License for Tio's Quincy Market, Clatskanie, OR
- I. Approve 2022-Renewal -Off Premises Sales Liquor License for Deer Island Store, Deer Island, OR

- J. Approve 2022 Renewal-Off Premises Sales Liquor License for Star Mart, Scappoose, OR
- K. Approve Personnel Action for John Dreeszen effective March 1, 2022 and authorize the Chair to sign
- L. Approve Personnel Action for Erin Welch effective March 1, 2022 and authorize the Chair to sign
- M. Appoint Merle Pence to the Columbia County Civil Service Commission, position #2 with a term to expire December 31, 2027 and authorize the Chair to sign

AGREEMENTS/CONTRACTS/AMENDMENTS

- N. C11-2022, Tobacco Licensing and Fee Collection Agreement with Oregon Department of Revenue and Authorize Chair to sign
- O. C14-2022 Amendment to the Public Services Provider Contract by and between Columbia County, Oregon, and Patagonia Health, Inc.

DISCUSSION ITEMS

1. **NEXT Renewables**- Final Order status update; Robin McIntyre, Sr. Assistant County Counsel, updated that Next Renewables has granted the County a 150-day deadline. This extension will end on March 23, 2022. This is when you should expect to see the Final Order for approval.
2. **Water Quality Presentation**; Erin O'Connell, Columbia County Public Health, Crystalyn Bush, Columbia Soil and Water Conservation District, Andy Maggi Scappoose Bay Watershed Council, Sarah Kidd, Lower Columbia Estuary & Sneha Rao, Lower Columbia Estuary Partnership. Came before the Board of Commissioner to present the Water Quality – E. Coli Bacteria Trends in Columbia County 2017-2022.

This presentation covered Watershed Monitoring: 2008-2011 monitoring was focused on Milton Creek, North Scappoose Creek, and South County Creek. 2017-Current monitoring expanded to 13 different locations across the five watersheds, overlap where possible with the 2008-2011 locations. Sneha explained the history of monitoring across the watersheds, watershed descriptions, monitoring methods and sampling frequency, water quality results, summary of trends and conclusions. It has been determined that Columbia County has increasing

E.coli contamination. The next steps for potential future studies would focused on bacteria study identifying potential local sources, increased frequency of sampling at upper and lower Milton sampling locations and include more sampling locations in the upper sub-basins such as Dart Creek.

Discussion was held on establishing an inter-agency committee to address water issues in the County. This would include our agencies, the County, local municipalities, and other relevant agencies that would meet regularly to discuss, prioritize, and plan

projects to address water quality and quantity issues in the County. It is important to have a dedicated representative from the County be involved in this group and at least one Commissioner. Develop programs based on new information working with the County and local jurisdictions to develop partnerships and tools that allow us to deal with water issues proactively as the County becomes more developed. Support for agencies to discuss results with Public Health taking actions as a result of the conversations that relate to public health and safety around E. coli and funding for future water quality /quantity projects.

The County has partnered with Association of Oregon Counties and has set aside \$25,000.00 towards a water study in Columbia County. Commissioner Magruder has reached out to members of the community, estuary and watersheds in Columbia County requesting interest to sit on the Water Forum. Sarah Kidd, and Erin O'Connell will respond to Commissioner Magruder request. The Water Forum meeting will be March 17, 2022 at 10:00 a.m. No action was taken during this meeting.

3. **Credit Card Fees:** Louise Kallstrom, Finance Director, during discussion at the Budget meetings last year regarding the County paying customer bank fees for credit card use. Several departments have absorbed the consumer bank charges for credit card transactions through the pandemic. Land Development Services is still absorbing these fees, today Louise and Nancy in lieu of an LDS Director, are requesting to switch the consumer fee back to the consumer and give three options of payment at the counter. Nancy shared the information from US Bank and how fees are calculated. Commissioner Heimuller asked why we do not have a County wide policy on credit card fees. Commissioner Garrett and Commissioner Magruder agree with Commissioner Heimuller that we should have a universal policy throughout the County. Commissioner Magruder supported LDS following today's recommendation. Sarah Hanson, County Counsel will meet with Department Heads to discuss and develop a policy. **Commissioner Garrett moved approve to passing the credit card fee on to the consumer as presented, Commissioner Magruder seconded. After discussion it was approved to add Merchant Fees for Land Development Services and a 3.5 percent addon fee for credit card transactions and have credit cards, checks, and cash to be the approved form of payment for Land Development Services to start as of March 14, 2022.**

COMMISSIONER GARRETT'S COMMENTS

Can't wait for spring. Even though the weather is cold it is nice out. Les Watters, Columbia County Museum Curator is putting together a display on the John Gumm School. It is kind of setting the stage for renovations that are coming soon. Tomorrow we have a meeting with the architects about the new Public Health area downstairs in the Annex. Over the next few weeks and months we will have more and more fun things to look at. We will be pushing out info through Mark for the public to look at.

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COMMISSIONER MAGRUDER'S COMMENTS

Very excited about the upcoming Water Forum Committee. Erin and Crystal have already responded in a positive way to be on these committees.

The County has committee vacancies, please check the county website for additional information and interest forms. This morning when I woke up it was very cold. I had a message from some friends in South Eastern Montana and it was minus 32 degrees. Does that means it is 32 degrees at my house and minus 32 degrees there that it is a 64 degree change? I was thankful to be in Clatskanie.

COMMISSIONER HEIMULLER'S COMMENTS

Pretty busy meeting this morning. We have covered a lot of territory and appreciate everybody input in that. Reminder to keep an eye out on your neighbors and pets. Today was the coldest recorded morning this winter. Please go out and check on water bowls of your chickens, rabbits, and other livestock.

EXECUTIVE SESSION

No Executive Session

ADJOURNMENT

With nothing further to come before this Board, this meeting was adjourned.

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