

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

MINUTES

November 25, 2015

The Columbia County Board of Commissioners met in scheduled session with Commissioner Henry Heimuller, Commissioner Anthony Hyde and Commissioner Earl Fisher (by phone), together with Robin McIntyre, Assistant County Counsel and Jan Greenhalgh, Board Office Administrator.

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

MINUTES:

Commissioner Hyde moved and Commissioner Fisher seconded to approve the minutes of the November 4, 2015 Staff meeting. The motion carried unanimously.

The minutes of the November 4, 2015 Board meeting were held over one week.

VISITOR COMMENTS:

Cynthia Anderson, PO Box 1199, Rainier: She is a tree farmer in Columbia County, with well over 100 acres and she also grows hay. She feels she is a good steward of the land and careful with water. She is concerned with the legislative proposal for water barriers. She doesn't use fertilizer so there are no problems with runoff. Water is critical to our lifestyle in Oregon. We have new industries coming in where there's hydroponics. How will this effect our water. We need the EPA, farm people and agricultural people from the federal government looking at this to make sure Columbia County isn't ruined.

DELIBERATIONS: ESTABLISH REGULATIONS FOR MARIJUANA LAND USES:

This is the time set for deliberations on proposed Ordinance No. 2015-4, "In the Matter of Amending the Columbia County Zoning Ordinance to Establish Regulations for Marijuana Related Land Uses". After the hearing, the Board had defined some changes to the final ordinance. At this time, Todd reviewed those changes, specifically in the RR-5 zone that would require a Conditional Use Permit and that grows be prohibited in the RR-2 zone. Industrial zones would be approved by administrative review. Under special use standards, the appropriate references were deleted. An additional standard in the RR-5 zone "no more than 1 state issued growing or producing registration or license is allowed for each parcel of record".

Under deliberation, Commissioner Fisher stated his support for the changes to the ordinance, with the exception of the RR-5 zone. He does not agree that grows be

allowed in the RR-5 zone. He thanked staff and all of those who worked very hard on preparing this ordinance.

Commissioner Hyde agreed with Commissioner Fisher and doesn't support any commercial grow sites in the RR-5 zone. We have already had issues with medical grows in the RR-2 zones. He doesn't support any grows in the Rural Residential zones at all. Other than that, he commends staff on their work on this and their recommendations. Overall, this ordinance addresses the concerns expressed during the hearing process.

Commissioner Heimuller first wanted to thank staff for their work on this ordinance. Some people think this was just brought to the Board, however, this is something the Board and staff have been working on for years. We all need to realize that this is something that the voters in the State of Oregon supported, both medical and recreational. It has been the intent of this Board to attempt to put some sideboards on the issues. There are some counties out there that have chosen to do nothing and letting the chips fall where they may. He personally doesn't feel that's a prudent way of doing business. For some time now, the Board has received complaints people about grow sites too close to their property, due to odor and vermin issues. However, we need to understand that this is going to be part of our new reality in the State of Oregon. He would have liked to see the State put some side boards on this measure so that individual counties wouldn't have to develop individual rules. This ordinance is a step in the right direction and noted that the ordinance is a living, breathing document that can be amended as needed. Although he does not smoke pot, he will support those who do because, in this state, it's legal. Because of that, the Board has to look at the impacts and nuisances of those industries, can be limited. As for the RR-5 zone, he is not supportive of pulling that out but he is very supportive of the process of those involved in create this document. He is anxious to get it in place because Columbia County is in the forefront of this and other government agencies are looking at our ordinance as a model for their jurisdictions.

Commissioner Hyde revisited the RR-5 zoning. Because a Conditional Use Permit would be required and that larger pods are included in the R-5 zone, it should need more discussion. Todd elaborated on the RR-5 zone noting they are predominately 5 acres or more and farm uses are allowed in the RR-5 zone. Robin noted that the RR-5 would be indoor grows only and would limit each parcel to 1 license. Commissioner Fisher talked about a conditional use permit for a trailer business in Clatskanie that was in the RR-5 zone. The County received many calls and complaints about that business and he doesn't want to see that happen again. Todd stated that RR-5 could be as large as 50 acres. After some additional discussion on the RR-5 zone and different scenarios, Commissioner Hyde reconsidered his thoughts on this because individual issues would be addressed in the CUP process.

Robin stated that she would need to read this ordinance twice and noted that it does include an emergency clause so that the county has rules in place by January 1, 2016. With that, Robin gave the first and second reading of Ordinance No. 2015-4, "In the Matter of Amending the Columbia County Zoning Ordinance to Establish Regulations for Marijuana Related Land Uses". With that, Commissioner Hyde moved and Commissioner Fisher seconded to adopt Ordinance No. 2015-4. The motion carried unanimously.

CONSENT AGENDA:

Commissioner Heimuller read the consent agenda in full. Item (Q) was pulled for discussion. With no other changes/additions, Commissioner Hyde moved and Commissioner Fisher seconded to approve the consent agenda as follows:

- (A) Ratify the Select to Pay for week of 11/9/15; 11/16/15; 11/23/15.
- (B) Ratify approval for Columbia County to co-sponsor the Holiday Hope Program for 2015.
- (C) Approve Updated Columbia County Safety Charter.
- (D) Approve 2015 (New Ownership) Liquor License for Alston Country Store & Video.
- (E) Approve request to refund the Minor Partition Application fee of \$1,348 to Evenson Logging Company - application pulled.
- (F) Reappoint Linda Salle' to the Columbia County Parks Advisory for a (4) year term.
- (G) Appoint Greg Johnson as Industry member and Kirk Johnson as Industry Alternate member to the Solid Waste Advisory Committee.
- (H) Reappoint Dan Garrison to the Columbia County Budget Committee.
- (I) Reappoint Ernie Martin and Mike Sheehan to the Solid Waste Advisory Committee.
- (J) Escrow Instructions for Hermo Road Funds Held.
- (K) Order No. 52-2015, "In the Matter of the Petition by Quentin and Amy Frugia to Name a New Private Road off of Columbia River Highway near Warren, Oregon "Century Drive".

- (L) Order No. 54-2015, "In the Matter of Amending the Rules and Regulations and Fee Schedule for Columbia County Forests, Parks, Beaches, Docks and Other Recreational Facilities Subject to Ordinance No. 94-9".

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (M) Personal Services Contract with Fidelis Professional Services, Inc. for Consulting and Management Services.
- (N) Personal Services Contract with Sunrise Janitorial Services for 2015.
- (O) Memorandum of Understanding with Columbia County RSVP and Emergency Management Volunteers and authorize Steve Pegram to sign.
- (P) Development Agreement with Verizon Wireless for Removal of a Cellular Transmission Tower in Accordance with a Condition of Approval of Permit Nos. CU 15-10 and DR 15-5.
- (Q) Public Road Event Permit and Indemnity Agreement for the 2015 Reindeer Run. ***(Pulled for discussion)***
- (R) Amendment #1 to the Personal Services Contract with ECONorthwest for Urban Renewal Administration.

The motion carried unanimously.

ITEM (Q) - REINDEER RUN PERMIT AND AGREEMENT:

Lonny Welter was present to discuss the permit and agreement for the Reindeer Run. This issue is before the Board because of the request to waive the application/permit fee. Total participants in the event would be over 400, so the fee increases to \$300. Because this is a fund raiser for the food bank, fire departments, police departments and other local agencies, they are requesting the fee be waived. Lonny is aware that most of these events are for good causes but the money raised with this one stays local. Commissioner Hyde is not comfortable with setting a precedence with waiving the fee and the Board agreed. With that, Commissioner Hyde moved and Commissioner Fisher seconded to approve the Permit and Indemnity Agreement for the Reindeer Run subject to receipt of the applicable fees. The motion carried unanimously.

COMMISSIONER HEIMULLER COMMENTS:

Commissioner Heimuller commented on the many Veterans Day events around the county. He had the privilege to speak at the event at McCormick Park. It was very well attended by all age groups, young and old. He noted that Columbia County has the highest rate per capita of veterans in Oregon, more than 10% of our population.

Two weeks ago, he attended the Oregon Transportation Commission's annual meeting, representing both NWACT and Columbia County. He testified on the needs we have for roads in the entire north coast region. Our roads and bridges are crumbling and how is that going to be dealt with financially.

Last week, the Board attended the AOC annual conference in Eugene. This is a time when all commissioners from around the state come together to meet and discuss issues effecting us all. He wanted to do a shout out to Jan for coordinating the product tasting event again this year. Along with other counties, Columbia County was able to showcase some of our local products. Those who donated were to this event were Seely Mints, Ye Ole Grog, Oregon Hills, Houlton's Bakery and Jake the Sausage King. It was a huge success.

He wished everyone a safe and happy Thanksgiving.

COMMISSIONER HYDE COMMENTS:

Commissioner Hyde reported on the ColPac meeting he attended a couple of weeks ago. They continue to work on their needs and issues.

Yesterday was the annual Columbia County Economic Team Breakfast, which was held in Clatskanie. It was huge success with over 120 in attendance.

He reported on the many meetings he attended during last weeks annual AOC conference, which included an O&C and Forestry meetings. He will be traveling to Colorado next week for the Annual NACo Board meeting.

Yesterday, he had the pleasure of being a bell ringer at Safeway for Kiwanis. It was a great 2 hours, getting to talk with people and seeing them share what they could.

Happy holidays to all!

COMMISSIONER FISHER COMMENTS:

Commissioner Fisher commented briefly on another successful AOC conference last week.

There was no Executive Session held.

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

Dated at St. Helens, Oregon this 25th day of November, 2015.

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: _____
Henry Heimuller, Chair

By: _____
Anthony Hyde, Commissioner

By: _____
Jan Greenhalgh
Board Office Administrator

By: _____
Earl Fisher, Commissioner