MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' STAFF MEETING
Monday, January 3, 2005
Page 1

COMMISSIONERS PRESENT: Charles J. Hurliman, Chairperson
Tim Josi, Vice Chairperson
Mark Labhart, Commissioner

STAFF PRESENT: Paul Levesque, Management Analyst

STAFF PRESENT FOR PORTIONS OF MEETING: Aaron Suko, Public Works Director; Tom Manning, Emergency Management Director; Bill Campbell, Community Development Director; Craig Schwinck, Human Resources & Information Services Director; Michael Soots, Communications

GUESTS: Jerry Underwood, Fair Manager; Gus Meyer; John Gettman; Ivan Boge

CALL TO ORDER: By Commissioner Hurliman at 9:00 a.m. in the Commissioners’ Meeting Room.

ITEM NO. 1: PUBLIC COMMENTS - NON-AGENDA ITEMS: There was none.

ITEM NO. 2: CONSIDERATION OF ORDER APPOINTING CHAIR AND VICE CHAIR OF THE BOARD OF COMMISSIONERS FOR 2005: Commissioner Josi moved to sign the order appointing Commissioner Hurliman as Chair and himself as Vice Chair, Commissioner Labhart seconded, passed with three aye votes.

The Commissioners signed Order #05-1.

ITEM NO. 3: DISCUSSION REGARDING COMMISSIONER LIAISON ROLES FOR 2005: The Commissioners discussed the liaison roles. Commissioner Josi said that, because of his AOC Presidency and CFTLC duties, he wanted to be relieved of the roles he had checked on his list. It was also noted that Circuit Court wanted to have a liaison. Commissioner Labhart suggested it be combined with Justice Court.

Commissioner Labhart moved to accept the liaison roles as developed, Commissioner Josi seconded, passed with three aye votes.

The order, #05-2, was signed at the Wednesday, January 5 Board meeting.

ITEM NO. 4: EMERGENCY MANAGEMENT UPDATE: a. Tsunami Warning System: Mr. Manning said some members of the Neskowin community thought the Neskowin Fire Hall siren was in the tsunami system but it was not.

Mr. Labhart wanted to have an entity/County department on the agenda each Wednesday to talk
about what they do, for the purpose of public information. He suggested that Mr. Manning’s presentation on tsunamis be rescheduled for January 5.

Commissioner Josi suggested the presentations be done once a month. Mr. Levesque thought they could be done at the once-a-month evening meetings. The Department Heads present thought it was a good idea. Mr. Schwinck thought it would be a good idea to have public questions in advance of the meeting. Mr. Suko felt it should not be too detailed and should be used for major current events.

There was Board consensus to do it at the next out-of-town meeting.

ITEM NO. 5: HUMAN RESOURCES & INFORMATION SERVICES UPDATE: Mr. Schwinck presented a request for a one month extension on Mr. Suko’s vacation accrual. He has scheduled one.

Commissioner Josi moved to extend Mr. Suko’s vacation accrual, Commissioner Labhart seconded.

Commissioner Labhart said taking vacation time was as important as work.

Motion passed with three aye votes.

Mr. Schwinck wanted to meet with the Board members individually or in an executive session regarding the AFSCME negotiations. As of last Saturday, they were without a contract.

There was Board consensus to go into an Executive Session at the end of the meeting.

ITEM NO. 6: COMMUNITY DEVELOPMENT UPDATE: Mr. Campbell distributed copies of the weekly building report (attached). He did not expect the level to drop off but rather to increase.

Mr. Campbell described two permit issues. The balance of the Nazarene Church permits would be issued this week and a foundation permit for the Anchor Tavern.

Mr. Campbell said there would be a Planning Commission workshop on January 13th regarding citizen advisory groups. The Pacific City and Neskowin had asked that those be reestablished for their communities. Two workshops were scheduled in January regarding downtown parking and transportation/truck route planning. He distributed a letter from Mr. Warner at ODOT, regarding truck routes (attached). Mr. Campbell would provide a packet of information for Commissioner Labhart.

Mr. Campbell said the Scenic Byway Grant Review Committee was meeting in January regarding the four pull-outs on Highway 101. A local presence at the meeting was desirable. He listed a number of south County groups which should attend. Tillamook County was competing with other
Region 2 counties.

Mr. Campbell reminded the Board of the Korevaar hearing on January 26th and the proposed hearing on the Transportation Plan on February 2nd.

Mr. Campbell had been working with the Ports on a recharacterization of dredged materials sites. DLCD may now provide funding for Ms. Olson at EDC to do the planning piece. Mr. Campbell spoke highly of Ms. Olson and felt she would be good at this. He said the project will review the 35 approved sites and do an environmental and engineering review to facilitate permits for each site that could be approved under nationwide or statewide general permits.

Mr. Campbell said the study would identify feasible sites with a higher level of certainty. A post-acknowledgment Plan Amendment would be required for the feasible sites. The goal would be at least three sites per bay. He discussed the arsenic level issues.

Mr. Campbell discussed the Business Resource Expo and the availability of the Board. The matter would be discussed later in the meeting under Item #9a.

Commissioner Hurliman asked for a letter from Mr. Campbell and Counsel Sargent on coastal consistency regarding the State Parks Habitat Conservation Plan.

Mr. Labhart thanked Mr. Campbell for his orientation.

**ITEM NO. 7: PUBLIC WORKS UPDATE: a. Neskowin Roads Tree Trimming:** Commissioner Hurliman said the community group in Neskowin was concerned about the tree project. Commissioner Josi asked who had complained.

Mr. Suko said his department was doing the trimming because it was the right thing to do, although there was a complaint. He said the fire chiefs in the County had asked for a 20-foot clear right-of-way. Neskowin would not even get that much; in some areas the work would only be to clear the area above the 10'-12' paved surface. There had been complaints from delivery vans and motor home owners.

Mr. Willhite said he had coordinated with the fire department, water department and vacation rental manager. He described the process for the project. It would involve branches over the pavement to a height of 14 feet.

Mr. Campbell said he agreed with a great deal of what Mr. Suko had stated. He said the key was emergency vehicle access. This was a critical issue in many communities.

Commissioner Hurliman said many of those trees had been there for 40-50 years. Mr. Willhite said
it was primarily a limbing project, with only a few trees to be removed. He said some of the property owners had asked for the removals.

Mr. Suko asked for guidance from the Board, especially on trees that were now leaning over the pavement. Commissioner Josi said Public Works should continue in the planned direction, but he wondered about getting the word out. Mr. Levesque suggested a report at a weekly Wednesday meeting.

Mr. Meyer said the State statute imposes a liability on the owner of danger trees.

Mr. Willhite described the notice procedure he had followed.

Commissioner Labhart felt they had done an adequate job. He agreed that a report at a televised Wednesday Board Meeting was a good idea. He supported Public Works’ direction. Mr. Suko would come to the Board meeting on January 5th.

**Miscellaneous Matters:** Mr. Suko said that day was Mr. Brown’s last day. He was a journeyman equipment operator. Mr. Suko said he had been asked to defer filling the position until the new Board took office. He described the importance of filling the position; he wanted to recruit at entry level.

Commissioner Josi supported filling the position.

Chair Hurliman said the County was still in Union negotiations and there were uncertainties regarding the reauthorization of the Safety Net legislation and the possible loss of $1.7 million. He felt it was prudent not to fill the position without looking at restructuring the Department by a subcommittee (of the Road Advisory Committee).

Commissioner Josi said they should assume the reauthorization. However, if it did not happen this one position would not make much difference, as there would be massive layoffs.

Chair Hurliman felt they needed to look at reorganization now, which he believed would be less disruptive to families.

Commissioner Labhart said he was in favor of filling the position. He thought the Safety Net would be reauthorized. He felt a reorganization could be looked at after the position was filled so that it would be a well-thought-out process. The budget was available to staff it now.

Commissioner Josi said this was not a new issue, and reorganization was looked at when he first became a County Commissioner.
Mr. Suko said he had submitted a reorganization plan for a two-division structure. He said it was necessary, however, to understand what functions would not get performed. If they lost $1.7 million, they could not keep anyone. Under ORS Chapter 368, there were mandated functions. He would welcome a group to look at the organization. They had one of the oldest (aging personnel) departments. He discussed the cost of retiree benefits and that impact on the budget.

Commissioner Josi moved to fill the position, Commissioner Labhart seconded, passed with two aye votes. Chair Hurliman voted nay.

Chair Hurliman said they needed to look at reorganization. He would submit materials to the Board for consideration. Commissioner Labhart said it would be good to complete an analysis before the budget was adopted.

Commissioner Josi said the Chair should keep Mr. Suko informed about materials. He felt the Board should be reluctant to override department heads, but he would consider it.

Mr. Suko said the Safety Net payments had just arrived. The Area Commission on Transportation (ACT) agenda would be forwarded to Commissioner Labhart. Commissioner Labhart complimented Mr. Suko on his orientation.

There was a general discussion regarding implementation of the Trask Road project. Mr. Suko reviewed upcoming meetings and said the farmer on Blankenship Road had made some improvements, but he thought the Farm & Forest Committee should be activated to look at this issue and several other similar circumstances. He felt a policy was needed. Fencing needed to be looked at in terms of steel posts imbedded in concrete within several feet of the traveled payment. It was a public safety issue.

Commissioner Labhart said he had met with TCCA about issues important to them and the large manure trucks was one of them. He also wanted to see the Committee activated. Commissioner Josi agreed.

The Chair recessed the meeting at 10:47 a.m. and reconvened at 10:57 a.m.

ITEM NO. 11: PUBLIC COMMENTS: Mr. Boge talked about his efforts to rip-rap erosion at a certain corner on Tillamook River Road on Don Averill's property. He had started in April and described his efforts with permitting which he got from DSL on December 1, but could not get the permit from the U.S. Army Corps of Engineers. He said ODFW, Public Works and Community Development all support it. He asked for help in speeding up the permit process.

Chair Hurliman said that with Commissioner Josi on LCDC, it should help. Mr. Suko said the Corps had traditionally been the hold-up on these permits and County road projects. He described the
County’s on an emergency project on Possetti Road. He felt the Board could help by working with the Corps on streamlining this process.

Mr. Meyer said the so-called streamlining process did not work. He described its shortcomings.

Mr. Suko said streamlining may work in wetlands, but not in rivers.

Mr. Boge wanted the Board to wait on intervention until he received his permit. Mr. Suko thought it would be helpful if a Commissioner monitored all such applications and periodically called the Corps. Chair Hurliman agreed.

Mr. Boge noted that he had to find some spruce trees for placement in the stream. Commissioner Josi said one of them would call the Corps. Commissioner Labhart said he could help find the trees. Chair Hurliman said he would make the call to the Corps.

**ITEM NO. 8: MANAGEMENT ANALYST UPDATE:** Mr. Levesque updated the Board on the filing of the complaint in the matter of Tillamook County versus the State and the next steps that would be taken procedurally.

Mr. Levesque said he was meeting the next morning with the Creamery regarding the leased property on Coal Creek. The Creamery had decided they were going to remove the dam at this time, prior to surrendering their lease.

**ITEM NO. 9: STAFF UPDATE/CALENDAR REVIEW & SCHEDULING/AGENDA REVIEW/SUGGESTION BOX/INTER-OFFICE MATTERS:** The Commissioners reviewed, amended and approved the January 5th agenda. They canceled the January 10th Staff Meeting, as they would all be attending AOC Committee meetings in Salem.

The Commissioners reviewed and updated their calendar. Ms. Wujcik said there was an adverse comment in the Suggestion Box regarding the “New Year’s Resolution” sent out by Personnel in the monthly “post-it note” that usually accompanied the paychecks. The Board requested it be forwarded to Mr. Schwinck.

The Commissioners scheduled their out-of-town/evening meetings as follows: February 16th - Neskowin Fire Hall; March 9 - Garibaldi; April 20th - Courthouse; May 11th - south County; June 15th - north County.

The Chair recessed the meeting at 11:40 a.m. and convened an Executive Session, pursuant to ORS 192.660(1)(d) to discuss union negotiations.

The Chair reconvened the regular Board Meeting at 11:58 a.m.
ITEM NO. 10: BOARD CONCERNS - NON-AGENDA ITEMS & ANNOUNCEMENTS:
There were none.

ITEM NO. 11: PUBLIC COMMENTS: There were none.

The Chair adjourned the meeting at 11:59 a.m.

RESPECTFULLY submitted this 19 day of January, 2005.

County Clerk: Tassi O'Neil

Mary Wulczik, Recording Secretary
& Special Deputy

APPROVED BY:

Chairperson

Vice Chairperson

Commissioner
CALL TO ORDER – January 3, 2005

1. 9:00 a.m. Public Comments – Non-Agenda Items – REQUEST TO SIGN GUEST LIST

2. Consideration of Order Appointing Chair and Vice Chair of the Board of Commissioners for 2005

3. Discussion Regarding Commissioner Liaison Roles for 2005

4. Emergency Management Update/Tom Manning
   a. Tsunami Warning System

5. Human Resources & Information Services Update/Craig Schwinck

6. Community Development Update/Bill Campbell

7. Public Works Update/Aaron Suko
   a. Neskowin roads tree trimming

8. Management Analyst Update/Paul Levesque

9. Staff Update/Calendar Review & Scheduling/Agenda Review/Suggestion Box/Inter-Office Matters
   a. EDCTC Business Resource Expo; have Board check agendas for Jan. 27, 3-7 p.m. at the Fairgrounds

10. Board Concerns, Non Agenda Items & Announcements

11. Public Comment

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December 27, 2004

FILE CODE:

This letter is in response to comments the Oregon Department of Transportation (ODOT) has received regarding the update of the State Highway Freight System. I want to thank you for taking the time to voice your issues and concerns. Your comments have been thoughtful and beneficial. It is clear from the number of comments received that we need to step back and “reconnect” on the overall purpose and desired outcomes from this effort.

WHY WE ARE DOING THIS PROJECT?

The reasons to embark on this ambitious effort include the following:

- In January 2004, the Oregon Transportation Commission (OTC) approved changes to the Oregon Highway Plan (OHP). These changes were made to simplify the process of defining stretches of highway by type, known as highway segment designations, especially where a state highway is the main street through a town. Because there was concern about how the highway segment designations would affect “through” freight movements, the OTC recommended an evaluation of Oregon freight routes and their relationship to these designations.

- In House Bill 2041 (Oregon Transportation Investment Act III), the legislature put into law that ODOT and our Commission will give priority to funding projects that are important for freight. This is due to the legislature’s affirmation that our state’s ability to move goods and services within and through the state are critical to our future economy.

- Freight transportation is expected to double in the next 15 years. The increase in freight will occur on all modes of transportation, but trucking will continue to be the predominant mode. Trucking’s share of freight movements is currently about 70% and this will increase slightly over that 15 year period to about 72%.

DESIRED OUTCOMES

Successful implementation of the OHP must include the following elements:

- ODOT’s plans and maps have been revised to identify those state highways that are now, or in the future, important routes for the movement of goods and services within and through the state.

- Continuation of work with local governments to identify and designate highway segment designations. These include city and community areas along state highways where ODOT and the local government will recognize the desires for more intense development/ redevelopment, additional access, slower speeds and higher levels of congestion to reflect the area’s plans for the future.
• Development of a general management plan framework for the "Main Street" or commercial areas along a recognized state freight route that will allow this area to develop as desired by the community, but protects its future as a viable route for freight movement.

• Development of criteria to give funding priority for community enhancements to those communities who have identified highway segment designations and either adopted or agreed to adopt a management plan for these designations along adopted freight routes.

SPECIFIC COMMENTS AND TIMELINE

All of your comments will be provided both to the Freight Route Analysis Project (FRAP) Advisory Committee and to the OTC.

Many of your comments contained questions. Staff has prepared a Frequently Asked Questions document that is available on the freight route website at http://egov.oregon.gov/ODOT/TP/FRAP.shtml.

I understand that staff has gathered new information that likely will lead to modifications in the draft report. For example, the agency is in the process of completing a study that is assessing the condition of US 101. That work will further inform the appropriateness of a future freight designation. On the other hand, some have suggested designation of OR 6 and OR 39 as freight routes, which staff had not considered those routes are now included in our recommendations. We have also heard opposition and concern to designation of OR 126 east of Springfield to OR 22. The McKenzie Highway is finalizing its Scenic Byway designation and the staff working on the freight issues were unaware of this pending designation. Given this new information, staff has removed this segment of OR 126 (east of its intersection with OR 126 Business) and US 20 between OR 126 and OR 22 from the list of proposed freight routes. The map of recommended freight routes (also available on the freight route website) has been amended to reflect these revised recommendations.

Some stakeholders asked for an extension of the timeline for review of the freight routes. We have extended the timeline for submittal to the OTC until at least mid 2005. While this project is taking longer than anticipated to complete, I believe that the additional work and time will ultimately allow the public, local governments and OTC to support the final result.

I appreciate your continued involvement in this effort and I am confident that we will reach a successful outcome. It is my intent to keep you posted on activities associated with this effort, but in the meantime, feel free to contact staff with any of your concerns.

Sincerely,

Bruce A. Warner
Director
BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR TILLAMOOK COUNTY, OREGON

In the Matter of the Appointment of Members to the Tillamook County Farm & Forest Advisory Committee

ORDER

#04-57

This matter came before the Board of Commissioners for Tillamook County, Oregon, on the 26th day of May, 2004.

The Board finds as follows:

1. On June 23, 1999, the Board of County Commissioners adopted Resolution #R-99-24 which "acknowledges the substantial historic, social, cultural and economic value of farming and forestry in Tillamook County, and affirms the right to the generally accepted, reasonable and prudent farm and forest practices that are required to sustain economically viable operations in compliance with federal and state laws."

2. What constitutes "generally accepted", "reasonable" and "prudent" farm and forest practices may be disputed from time to time, particularly where residential development has occurred adjacent or near to actively managed farm and forest lands.

3. An advisory committee of citizens knowledgeable in farm and forest management, and in the impact of such management, was appointed by Board Order #99-126, to address any such disputes.

4. The Farm & Forest Advisory Committee never met, and it is now necessary to appoint new members.

NOW, THEREFORE, IT IS HEREBY ORDERED that

5. Dale Buck, Bill Goodman, Richard Obrist, Walt Porter, Jack Snell and Jack Thayer are hereby appointed as farming representatives; Brownlee Bush is hereby appointed as a citizen-at-large; and Mike McKibbin is hereby appointed as the representative of private forestry.

DATED this 26th day of May, 2004.

BOARD OF COMMISSIONERS FOR TILLAMOOK COUNTY, OREGON

Paul A. Hanneman, Chairperson
Charles J. Hurhiman, Vice Chairperson
Tim Josi, Commissioner

ATTEST: Tassi O’Neil
County Clerk

APPROVED AS TO FORM:

William K. Sargent, County Counsel

Absent/Abstain

Aye Nay

1 1
BEFORE THE BOARD OF COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

In the Matter of Designating Liaison Responsibilities for the Tillamook County Board of Commissioners for 2004

ORDER

#04 - ________

This matter regularly came before the Board of Commissioners on January 29, 2003. The Board finds it has been the usual custom and practice of the Board of Commissioners to rotate their liaison responsibilities between the members of the Board for each calendar year.

NOW, THEREFORE IT IS HEREBY ORDERED THAT the liaison responsibilities for each Commissioner shall be as follows:

PAUL HANNEGAN

Association of Oregon & California Counties (O&C)
Association of Oregon Counties (AOC)
Budget (all three are on Budget Committee)
Contract Review Board (Board is comprised of BOC)
Community Development (All 3 BOC)
Council of Forest Trust Land Counties (CFTLC)
Economic Development Council (Local Committee)
Emergency Management & Communications (All 3 BOC)
Extension Advisory Council
Health
Justice Court
Juvenile
Library
National Association of Counties (NACo)
Oregon Coastal Zone Management Assoc. (OCZMA)
Public Works (all three Commissioners)
Soil & Water Conservation District
Surveyor
Traffic Safety Commission
Veterans Services (All 3 BOC)

CHARLES HURLIMAN

Association of Oregon & California Counties (O&C)
Association of Oregon Counties (AOC)
Budget (all three are on Budget Committee)

ORDER #04- ________
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Contract Review Board (Board is comprised of BOC)
Council of Forest Trust Land Counties (CFTLC)
Commission on Children & Families
Community Action Resource Enterprises, Inc. (CARE)
Community Development (All 3 BOC)
District Attorney
Emergency Management & Communications (All 3 BOC)
Federal Forest Lands
Local Public Safety Coordinating Committee (LPSCC)
Maintenance
Mid-Willamette Valley Senior Services
Mid-Valley Behavioral Care Network
National Association of Counties (NACO)
Public Works (All 3 BOC)
Tax/Assessor
Tillamook Child Care Center
Tillamook Family Counseling Center
Tillamook Work Solutions
Veterans Services (All 3 BOC)

TIM JOSI

Association of Oregon & California Counties (O&C)
Association of Oregon Counties (AOC)
Budget (all three are on Budget Committee)
Columbia-Pacific Economic Development
Clerk
Community Development (All 3 BOC)
Contract Review Board (Board is comprised of BOC)
Council of Forest Trust Land Counties (CFTLC)
Emergency Management & Communications (All 3 BOC)
Fair (Mark)
Futures Council (Mark)
Northwest Area Commission on Transportation (ACT) (Mark)
National Association of Counties (NACO) (Mark)
Northwest Oregon Housing Authority (NOHA) (Mark)
Northwest Regional Partnership
Parks
Personnel/Information Services
Public Works (All Three Commissioners)
Sheriff & Jail
Tillamook Estuary Partnership (Move to Bell Campbell)
Treasurer
Veterans Services (All 3 BOC)
STAFF LIAISONS

Paul Levesque:
EMS Council
Northwest Resource Conservation & Development (RC&D)
American Red Cross, Board of Directors

Tom Manning
911 Emergency Communications District
Fire Defense Board

DISTRICTS - Board of Commissioners is Governing Board:
Tillamook County 4-H & Extension Service District
Tillamook County Solid Waste Service District
County Road Districts

DATED THIS ___ DAY OF ___________________ 2004.

BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

Aye Nay Abstain/Absent

Paul A. Hanneman, Chairperson

Charles J. Hurliman, Vice Chairperson

Tim Josi, Commissioner

ATTEST: Tassi O’Neil,
County Clerk

APPROVED AS TO FORM:

BY: ____________________________
   Special Deputy

   William K. Sargent, County Counsel