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MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING
Wednesday, January 14, 1987
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COMMISSIONERS PRESENT: Dean J. Kinkade, Chairman
Gerald J. Creasy, Vice-Chairman
Gerald A. Woodward, Commissioner

STAFF PRESENT: Fred G. Young, County Counsel
Karen Richards, Treasurer
Dorene Sheldon, Recording Secretary

STAFF PRESENT FOR PORTIONS OF MEETING: Darlene Cherry, Personnel Assistant; Sue Cameron, Health Administrator; Neal Lemery, District Attorney; Vic Affolter, Community Development Director; Dorothy Berry, Tax Collector; Jon Oshel, Public Works Director; Don Helwig, Fair Manager

GUESTS PRESENT: Mike Sims, Headlight Herald; Lester Fultz, Willard Berry, John Stryffeler, Kenneth V. Lane, Lyle Specht, Ronald Gienger, Stan Jud

ITEM NO. 1: CALL TO ORDER: By Chairman Kinkade at 10:04 a.m. in the Justice Courtroom.

UNSCHEDULED: CONSIDERATION OF LIMITED POWER OF ATTORNEY FOR NORTH FORK NEHALEM RIVER BRIDGE PROJECT: Chairman Kinkade said this is a formality that needs to be done before the contract can be awarded. Commissioner Creasy moved, Commissioner Woodward seconded, to authorize and sign the power of attorney, passed with three aye votes.

The Commissioners signed the limited power of attorney form.

UNSCHEDULED: CONSIDERATION OF ORDER ESTABLISHING A PUBLIC HEALTH ADVISORY BOARD: Commissioner Creasy moved, Commissioner Woodward seconded, to approve an order establishing a public health advisory board, passed with three aye votes. Chairman Kinkade said terms will be decided later, before advertising is done.

The Commissioners signed Order #87-3 later in the day.

UNSCHEDULED: DISCUSSION CONCERNING PAYMENT OF RETROACTIVE RETIREMENT BENEFITS: Ms. Cherry said the county will be paying retroactive retirement benefits this month. The plan states the monthly contribution must be based on the July salaries, which were changed with the new contract.

UNSCHEDULED: DISCUSSION CONCERNING INDEPENDENCE DAY HOLIDAY: Ms. Cherry said Ms. Kelso checked with the ORS Statute regarding holidays. It states when a holiday falls on Saturday, the preceding Friday will be the legal holiday. Chairman Kinkade said this was not included in the union contract this time, but he is sure it will be next time.

UNSCHEDULED: DISCUSSION CONCERNING COUNCIL OF FOREST TRUST LAND COUNTIES MEETING: Commissioner Woodward said a CFTLC meeting will be held January 26th to discuss the Supreme Court decision of the case and the future of CFTLC.

Mr. Young and Ms. Richards recommended one of the Commissioners go speak at the next School District meeting and explain what the decision means to the school district. Commissioner Woodward said he would go, but he would like to wait until after January 20, 1987 to make sure no one will be appealing the case. It was also suggested that Paul Levesque attend that meeting.

UNSCHEDULED: DISCUSSION CONCERNING PROBLEM WITH HEBO SERVICE DISTRICT SEWAGE PIPES: Commissioner Woodward asked if either of the other Commissioners had spoken to someone at HGE regarding Hebo. Chairman Kinkade said Ed Crane called and they will be putting different valves in rather than dig it all out. Commissioner Woodward said the county should not accept that proposal.

Mr. Young said the contract requires HGE to comply with certain specifications and they should not modify it. He said the county is not capable of making the decision, and that a different engineer should look at it - at HGE's expense.

There was also discussion concerning the hook-up charges and septic rates. Mr. Young said some changes need to be made in the Ordinance and recommended a workshop be scheduled to discuss these issues.

ITEM NO. 2: DISCUSSION CONCERNING PROPOSED GRAND RONDE RESERVATION RESOLUTION: The resolution from Polk County was discussed. Chairman Kinkade said a lot of issues are not settled yet and both sides are still working to resolve them. He felt it was too early to sign the resolution. Commissioner Creasy said the county should support the resolution, as the reservation will not be beneficial to the citizens of Tillamook County.

Commissioner Creasy moved to approve the resolution. Commissioner Woodward said O & C counties made up a resolution, and he would like to work with that proposal and have it ready after some issues have been settled. Commissioner Creasy withdrew the motion. This item will be considered next week.

ITEM NO. 3: DISCUSSION CONCERNING VICTIM'S ASSISTANCE POLICY: Neal Lemery explained that \$20 on misdemeanor convictions and \$50 on felony convictions has been going toward a victim's assistance program. Half of this money funds the Attorney General's victim's program and the other half of each county's contributions can be returned to the county for the district attorney's program, or, if the county does not have a program, the funds go to the Attorney General's program.

Mr. Lemery requested hiring a ½ time position. The job would involve preparing the crime victim for trial and filling out restitution forms. Only six counties in the state do not utilize these funds, and Tillamook County is one of them. No money would come from the general fund and he averaged \$650-900 could be received monthly from this fund. Multnomah County has a very good program, and they have offered to train someone.

Chairman Kinkade recommended Mr. Lemery work with Ms. Kelso on a job description and the costs involved, and then present a report to the Board. Mr. Lemery said this would take about two weeks.

ITEM NO. 4: CONSIDERATION OF COMMISSION PROCEEDINGS FOR DECEMBER 1986: Commissioner Creasy moved, Commissioner Woodward seconded, to approve Commission Proceedings for December, 1986, passed with three aye votes.

The Commissioners signed the Commission Proceedings.

ITEM NO. 5: REQUEST FOR ENDORSEMENT OF THE REPORT OF THE FIRST BIENNIAL JUVENILE SERVICES COMMISSION AND NEWS RELEASE FOR SAME: It was the Board's consensus to postpone this item until next week when Ms. Kelso will be present. Commissioner Creasy also has more information he would like to present at that time.

ITEM NO. 6: CONSIDERATION OF REQUEST TO PURCHASE PROPERTIES DEEDED THROUGH FORECLOSURE: Lester Fultz explained he had seven parcels of property that he forgot to pay taxes on, and they have gone into foreclosure. County records show eight parcels (R5S11 35 00202 Code 2207, R5S11 35 00202SU1 Code 2210, R5S11 35 00200 Code 2207, R5S11 35 00200SU1 Code 2210, R5S11 35 DA 03100 Code 2207, R5S11 36 01202 Code 2207, R5S11 36 01202SU1 Code 2210, and R5S11 36 BB 00700 Code 2207). He would like to redeem the property. Chairman Kinkade explained the procedure has been to split the \$500 administrative fee in these circumstances.

Commissioner Creasy moved, Commissioner Woodward seconded, to allow Mr. Fultz to redeem his property by paying the back taxes and the \$250 administrative fee on each tract, passed with three aye votes.

Mr. Young told Mr. Fultz to pay the fees at the Tax Department, and then the County would issue the deeds.

ITEM NO. 7: DISCUSSION CONCERNING WILLARD BERRY'S PERSONAL SERVICES CONTRACT: Mr. Berry said he would like to add Barbara Powell's name to the contract and to have an increase to \$15.00/hour for compensation. He explained there will be times he will not be available in the future, and the county will need someone to inspect timber sales. Ms. Powell is a former unit forester and has been working with him for the last year.

Mr. Young asked if their partnership was registered with the state. Mr. Berry said no, but if it was necessary, he would. Mr. Young said it was necessary, and Mr. Berry agreed to register the name.

Commissioner Creasy moved, Commissioner Woodward seconded, to accept the changes in the contract, passed with three aye votes. Mr. Young will make up a personal services agreement with the name and rate changes, subject to Mr. Berry filing with the state.

ITEM NO 8: DISCUSSION CONCERNING APPOINTMENT TO FILL A VACANCY ON THE PLANNING COMMISSION: Mr. Affolter reviewed the applications with the Commissioners and said all were well qualified. Commissioner Woodward moved, Commissioner Creasy seconded, to appoint Ed Heesaker to the Tillamook County Planning Commission, passed with three aye votes.

Order No. 87-4 was prepared and signed later that day.

UNSCHEDULED: CONSIDERATION OF CONTRACT FOR GRANT FOR PARK AT PACIFIC CITY: Mr. Affolter said Mr. Young had reviewed this and the Board's signatures were necessary. Commissioner Creasy moved, Commissioner Woodward seconded, approval of the contract for the grant, passed with three aye votes.

The Commissioners signed the contract.

ITEM NO. 9: DISCUSSION CONCERNING OREGON LOGGING CONFERENCE TO BE HELD FEBRUARY 19, 1987: Commissioner Woodward said it would be good to have one of the Commissioners attend this meeting and be willing to speak. He said he would be able to go. Chairman Kinkade said the Commissioners could check their calendars and one would attend. Mr. Young said he would be attending because of his personal practice.

ITEM NO. 10: CONSIDERATION OF ORDER TO RENAME THE TILLAMOOK COUNTY RECYCLING TEAM AS THE TILLAMOOK COUNTY RECYCLING ADVISORY COMMITTEE: Mr. Oshel explained the reason for the order. Mr. Young said this item should be brought up under the designation of the Tillamook County Board of Commissioners, also sitting as the Board of the Tillamook County Solid Waste Service District. It was the Board's consensus to postpone this until next week, and specify it in the agenda as such.

ITEM NO. 11: CONSIDERATION OF APPOINTMENT OF JERRY SCOTT AS CHAIRMAN AND HOWARD WILSON AS VICE-CHAIRMAN OF THE TILLAMOOK COUNTY SOLID WASTE ADVISORY COMMITTEE: This item was postponed until next week.

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ITEM NO. 12: CONSIDERATION OF APPOINTMENT OF HALLIE KIRKINGBERG TO THE TILLAMOOK COUNTY RECYCLING ADVISORY COMMITTEE: This item was postponed until next week.

ITEM NO. 13: MISCELLANEOUS PUBLIC WORKS: Mr. Oshel presented the following items:

1. Consideration of Order Accepting Deeds for the Creation of a Drainage Easement for Fourth Street in Netarts: Commissioner Creasy moved, Commissioner Woodward seconded, approval of order, passed with three aye votes.

The Commissioners signed Order No. 87-5.

2. Consideration of Order Accepting a Deed Granting a Perpetual Easement for a Portion of the Sand Lake Road: Commissioner Creasy moved, Commissioner Woodward seconded, approval of order, passed with three aye votes.

The Commissioners signed Order No. 87-6.

3. Work Order for Hebo Service District: Mr. Oshel requested the Board sign a work order for the Road Department to provide a backhoe and operator for the inspection of the sewage treatment plant. Commissioner Woodward moved, Commissioner Creasy seconded, approval of the work order, passed with three aye votes.

The Commissioners signed the work order.

4. Consultant Agreement for Scovell Bridge Project: Mr. Oshel said the agreement was with OBEC Consulting Engineers for them to do the construction inspection on the project. Commissioner Creasy moved, Commissioner Woodward seconded, approval of the agreement, passed with three aye votes.

The Commissioners signed four copies of the agreement.

5. Solid Waste: Mr. Oshel explained John Stryffeler was having difficulty making the payments on the Tillamook County Landfill contract. He said the Stryffelers took over the operation at the time of year when volumes are reduced. It is typical for the landfill to go in the red during the winter, and then recover during the spring and summer months. Mr. Stryffeler said they did have the money to make the payment, but an unexpected truck repair bill of \$6,000 came up. Mr. Oshel recommended the Board allow them to make the current payments, with the stipulation that the rearage will be paid by June 30, 1987.

No action was taken. This will be discussed next week, under the Board of the Solid Waste Service District.

Chairman Kinkade recessed the meeting at 11:22 a.m. and reconvened at 11:34 a.m.

ITEM NO. 14: DISCUSSION CONCERNING BUDGET PRESENTATION AND FINANCIAL ASSISTANCE FOR FAIR BOARD: Don Helwig and members of the Fair Board were present. Mr. Helwig submitted the tentative budget request for the 1987-88 fiscal year.

Mr. Helwig explained the need for an allocation of \$6,000 from the general fund to cover the exhibition center project over-run. Nearly \$19,000 in public contributions has been made, along with the lottery fund grant.

Mr. Young said there is no money left in the contingency fund. Funds could be borrowed from the Road Department, but there would be no way to pay it back before the end of the fiscal year. He also said it could come out of the Courthouse Building Maintenance line, but then the remodeling of the Tax/Treasurer's Departments would not be done.

Chairman Kinkade agreed with the Budget Officer, that there are no funds available.

Ken Lane asked if there would be a larger contribution to the fair budget next year. Mr. Young said there probably would be, but it depended on the possible repeal of the \$12 solid waste service fee. There was some discussion concerning this. Lyle Specht said he would work on this issue informing the public how important it is to keep the service fee.

Mr. Young recommended to continue paying the fair employees from the general fund, even if it will put the fair in the red. He suggested not purchasing any more materials until at least May. Mr. Helwig agreed and said some of the finishing work will not be completed, but it will be operable.

Chairman Kinkade recessed the meeting at 12:10 p.m.

WORKSHOP TO DISCUSS PARKS DEPARTMENT NEEDS: This workshop was to be held in the Commissioners' Conference Room at 1:30 p.m. Ms. Kelso and Chairman Kinkade were unable to attend the workshop, and it was postponed until Monday, February 19, 1987 at 1:30 p.m.

Vice-Chairman Creasy adjourned the meeting at 1:35 p.m.

RESPECTFULLY SUBMITTED this 20th day of January, 1987.

Dorene Sheldon
Dorene Sheldon, Recording Secretary

APPROVED BY:

DJK
DJK

GJC
GJC

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GAW