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MINUTES-TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING  
Wednesday, February 4, 1987  
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COMMISSIONERS PRESENT: Dean J. Kinkade, Chairman  
Gerald J. Creasy, Vice-Chairman  
Gerald A. Woodward, Commissioner

STAFF PRESENT: Dorene Sheldon, Recording Secretary

STAFF PRESENT FOR PORTIONS OF MEETING: Fred Young, County Counsel; Karen Richards, Treasurer; Jon Oshel, Public Works Director; Doug Marshall, Sanitarian; Paul Levesque, Research Consultant; Willard Berry, Forester

GUESTS PRESENT: Mike Sims, Headlight Herald; Jerry Heinz, Van Manning, B.L.M.; Tom Adams; Leroy Walker

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

UNSCHEDULED: CONSIDERATION OF ORDER APPROVING LINE ITEM TRANSFERS: Commissioner Creasy moved, Commissioner Woodward seconded, approval of order transferring funds between budgeted line items for salary increases, passed with three aye votes.

The Commissioners signed Order #87-15.

UNSCHEDULED: CONSIDERATION OF LETTER TO CORRECTIONS DIVISION REGARDING NOTICE OF INTENT TO PARTICIPATE IN COMMUNITY CORRECTIONS ACT FOR 1987-88 BIENNIUM: Chairman Kinkade said the letter requests an extension to March 15, 1987 to submit the new Plan. Commissioner Creasy moved, Commissioner Woodward seconded approval of the letter, passed with three aye votes.

The Commissioners signed the letter.

UNSCHEDULED: CONSIDERATION OF LIMITED POWER OF ATTORNEY FOR NORTH FORK NEHALEM RIVER BRIDGE PROJECT: Commissioner Creasy moved, Commissioner Woodward seconded, to authorize and sign the limited power of attorney, passed with three aye votes.

The Commissioners signed the limited power of attorney form.

ITEM NO. 2: CONSIDERATION OF ORDER ACCEPTING A DEED FROM STATE OF OREGON, BOARD OF FORESTRY TO CLEAR TITLE ON COUNTY PARCEL 1S8 25C 600: Mr. Levesque said this parcel is located on the Trask River above the park. Portions of the parcel were put up for sale in the June 1986 Land Sale, but there was no legal access behind the existing private property owners. The county has received a deed from the State of Oregon, Board of Forestry to clear the title and this order accepts that deed.

Commissioner Creasy moved, Commissioner Woodward seconded, to approve the order accepting the quitclaim deed from the State of Oregon, Board of Forestry, passed with three aye votes.

The Commissioners signed Order #87-16.

ITEM NO. 3: DISCUSSION CONCERNING REORGANIZATION OF B.L.M. TILLAMOOK DISTRICT: Mr. Heinz introduced Van Manning, the new district manager of B.L.M. Mr. Manning said there will be a complete reorganization of the district to eliminate the overlapping of duties and to utilize the funds most effectively. One area of concern is will the resource area remain in Tillamook or go to Salem. He will be asking for the Board's input at a later date. Several key issues in resource management planning that will be looked at in the coming years are the allowable cut of timber and the spotted owls. The hardwood issue in Tillamook County will also be researched.

The Board and Mr. Berry emphasized the need to keep the Tillamook office open. Commissioner Woodward said he liked being under the management of the B.L.M. rules.

ITEM NO. 4: DISCUSSION CONCERNING NESKOWIN BEACH GOLF COURSE SEWAGE SYSTEM: Chairman Kinkade reviewed the letter from William Martin regarding renewal of his OLCC license. Mr. Marshall told Mr. Martin he had to have a holding tank installed before he would sign off on the application. Mr. Martin does not want to go to the expense of doing that, because if the Neskowin Sanitary Authority receives the grant, the new sewer system will be installed in 1989.

Commissioner Creasy said Mr. Martin said in his letter if the bond election failed, he would immediately complete the holding tank by Mr. Marshall's June 1st deadline.

Mr. Marshall recommended a six month time period approval, like 101 Tavern and Jordan Creek Inn have. Chairman Kinkade agreed that Mr. Martin would know by then if he would have to install the tank.

It was the Board's consensus to have Mr. Marshall sign off on the license with the six month condition.

ITEM NO. 5: DISCUSSION CONCERNING PROCLAMATION DESIGNATING FEBRUARY 25, 1987 A DAY OF SPECIAL CONCERN FOR THE HUNGRY AND HOMELESS AMONG US: Commissioner Creasy said this is a state-wide proclamation to bring awareness of this subject to the public.

Commissioner Creasy moved, Commissioner Woodward seconded, approval of proclamation order proclaiming February 25, 1987 a day of special concern for the hungry and homeless, passed with three aye votes.

The Commissioners signed Proclamation Order #87-17.

ITEM NO. 6: DISCUSSION CONCERNING HILL STREET IN PACIFIC CITY:

Mr. Young said there is a man trying to finance a piece of property on Hill Street. His lender says the property is not on a public street and they cannot finance the property. Mr. Young said it is not clear how the street was developed, but Mr. Oshel thought it might have been paved by the Sanitary Authority.

Mr. Young said there are several options to making this a county road. A judge can declare it public, it can be acquired by condemnation, or a tax number can be assigned to it and then go through a foreclosure process, but they are all very costly. He said the lender may be satisfied with a letter from the Board stating the County is aware of the situation.

It was the Board's consensus to have Mr. Young draft a letter.

SITTING AS THE BOARD OF THE  
HEBO SERVICE DISTRICT:

ITEM NO. 7: MISCELLANEOUS SERVICE DISTRICT MATTERS: Tom Adams said the monthly income from the sewer system has brought in \$16,000, of which \$2,000 is outstanding on unpaid bills. The hook-up fees have generated \$35,900 with \$12,000 still outstanding. \$80,000 was borrowed and the Government grant was \$500,000 for a total of \$630,000 generated income. He said the books show the account is now \$40,000 overdrawn, bringing the total to \$670,000. He suggested an audit be done to see exactly where the money went. Chairman Kinkade said a big share of the over-run is the engineering costs.

Mr. Adams worked with Dick Thompson in preparing a budget which he presented to the Board. The maximum generated income would be \$26,400, the operating expense is \$12,740 plus the payment on the loan totaling \$32,000 plus. The budget does not include a contingency account for breakdowns.

There are 60 hook-up files listed on Ms. Berry's billings. Of those, five were never hooked up to sewer or water. Five are hooked on sewer only and five more have water only. The most that will be generated on the missed billings would be \$400. Four units have the tanks, but need to be hooked up.

Mr. Adams said there are problems with the sewer plant. After the last heavy rains, the water backed up and is flowing into the river, the roof is leaking, and the chlorinator isn't working correctly. He said there are only four months until the warranty runs out, and he recommended not paying Allen & Associates until the leak is fixed. Commissioner Woodward says there is a problem with the engineer and the warranty.

Mr. Adams said Dr. Gerke is doing only the required testing on the water and sewer, which averages \$300/month. The power bill was estimated to run \$30/month, but is averaging \$120/month.

Mr. Adams said Mr. Thompson has agreed to reduce his wages to \$200/month, plus \$50/month for vehicle use. A new contract will be prepared for Mr. Thompson with the above changes.

Chairman Kinkade said a list of everything that needs to be repaired should be made up before having Ed Crane and Dow Brothers come fix them. Mr. Oshel said the normal procedure for major contracts is to have a punch list for specific items to be repaired.

It was the Board's consensus to have Mr. Thompson make up the list of problem areas. Mr. Young will prepare a letter to all the people involved asking them to list their complaints. Ms. Richards is to pay the Allen & Associates bill, as there are no grounds for not paying. Ms. Richards will give Mr. Thompson the figures for the Hebo account.

SITTING AS THE BOARD OF THE  
TILLAMOOK COUNTY SOLID WASTE SERVICE DISTRICT:

ITEM NO. 8: MISCELLANEOUS SOLID WASTE MATTERS: Mr. Oshel reported on the Solid Waste Advisory Committee meeting. The Committee will not run the measure in the March election to increase the service charge to \$1.50.

The Committee recommended to balance the budget in the following manner. If the service charge survives, raise all gate fees by \$2.00/yard (\$7.00 for public, \$5.50 for franchisers); if the service charge is eliminated, raise all gate fees \$6.00/yard (\$11.00 for public, \$9.50 for franchisers). After these rates are established, the franchisers would then have to raise their rates.

Mr. Oshel recommended an order be signed informing the public before the election of the rate increases which will be changed if the service charge remains and if it is eliminated.

There was some discussion concerning dumping garbage at the Pacific City Park parking lot.

Mr. Oshel said four members of the Advisory Committee have alternates selected. When five members have their alternates, Mr. Oshel will prepare an order, so a quorum will be available at each meeting. Eventually, all seven members will have an alternate.

Mr. Oshel discussed the possibility of hauling trash to Lincoln County. Chairman Kinkade said the county received a letter from DEQ listing all the requirements necessary to do this.

Mr. Oshel said the committee's general consensus was to go for a combination of request for proposal for franchise application, knowing the bids may be too high; however, this would allow Mr. Oshel time to work up costs for a new landfill.

Mr. Oshel reviewed Mr. Kirkingberg's letter dated February 2, 1987 to the Commissioners. He will respond to it. In reference to the letter, it was the Board's consensus to remain status quo on the honor system at the landfill.

SITTING AS THE BOARD OF COMMISSIONERS:

ITEM NO. 9: MISCELLANEOUS PUBLIC WORKS: Mr. Oshel said the County has been furnishing weed sprayers to the Rental Center. Initially this was done because of the tansy problem. By Board consensus, the Road Department will keep two sprayers and auction the rest at the next county auction.

Chairman Kinkade recessed the meeting at 12:05 and reconvened at 1:35 p.m.

ITEM NO. 10: PUBLIC HEARING: ZONE CHANGE REQUEST ZC-86-9:  
REQUEST TO CHANGE EXISTING R-2(M) (MEDIUM DENSITY RESIDENTIAL-  
MANZANITA URBAN GROWTH BOUNDARY) TO RMH(M) (RESIDENTIAL MOBILE  
HOME-MANZANITA URBAN GROWTH BOUNDARY) ON A STRIP OF LAND NORTH OF  
HIGHWAY 101 AND EAST OF MANZANITA AND DESIGNATED AS TAX LOTS 500,  
501 AND PORTIONS OF 502 AND 503, IN SECTION 28, TOWNSHIP 3 NORTH  
AND RANGE 10 WEST OF THE WILLAMETTE MERIDIAN, TILLAMOOK COUNTY,  
OREGON. DEAN SMITH, APPLICANT: Meg Gruwell and Vic Affolter were present.

Ms. Gruwell indicated on a drawn map, the location of the subject parcel. The zoning on a 200' wide strip of land, which includes the subject parcel, was changed to R-2(M) in 1979 due to its inclusion in the Manzanita Urban Growth Boundary. Prior to that change, mobile homes were allowed outright in the area. She then indicated the zones surrounding the subject parcel.

Ms. Gruwell described the development in the area which included stick built and brick built houses, a mobile home, and various businesses.

The applicant is proposing to change the strip of land to RMH, which allows mobile homes in the Manzanita Urban Growth Boundary. Ms. Gruwell reviewed the differences in the zones. In the R-2 zone, the allowable height is 24'; in the RMH zone, the allowable height is 35'. The setbacks in both zones are similar. In the

RMH zone, outright uses include mobile homes, farm and forest use and signs. Regarding conditional uses, in addition to those allowed in the R-2 zone, the RMH zone includes planned developments, mobile home parks, and RV parks.

Ms. Gruwell said services are provided to the area including water, sewer, fire protection and schools.

Ms. Gruwell said her office received a letter from the Manzanita Planning Commission stating they want the county to make the decision. She said Manzanita has no criteria by which to base a zone change; therefore, county criteria was used. She said the Manzanita Housing Policy states that zoning standards should require appropriate screening or buffering for mobile home areas. She showed the various buffers in the area. She added this was not a primary residential site and it would be a logical transition to the RMH zone.

In conclusion, Ms. Gruwell said staff recommended approval. The zone change request was presented to the Planning Commission, and they voted unanimously to recommend approval.

Chairman Kinkade asked why the difference in height in the two zones. Ms. Gruwell said this was based on a large part because they were using an old county zone.

Mr. Young added the area in Manzanita is developing heavily. The city has just started a sub-committee on annexation. He asked how many acres were involved on the zone change. Ms. Gruwell said 3.98 acres.

Commissioner Creasy moved to approve Zone Change ZC-86-9, Commissioner Woodward seconded, passed with three aye votes.

Ms. Gruwell will prepare an order for the Board to sign.

Chairman Kinkade adjourned the hearing at 1:45 p.m.

RESPECTFULLY SUBMITTED this 6<sup>th</sup> day of February, 1987.

Dorene Sheldon  
Dorene Sheldon, Recording Secretary

APPROVED BY: DJK GJC GAW  
DJK GJC GAW