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MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING
Wednesday, March 4, 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: Lt. Tom Dye, Emergency Management; Vic Affolter, Community Development; Sue Becraft, Executive Secretary

GUESTS PRESENT: Mike Sims, Headlight Herald; Mark Labhart and Steve Dutton, Oregon State Forestry; R.C.A. Moore, Diversified Chipping; Robert G. Houston, Bill Bonner, Frank and Jean Mock, Ken Burdick, Richard Dental, George Evans, Pete Jacob, Lee Walker

ITEM NO. 1: CALL TO ORDER: By Chairman Kinkade at 10:00 a.m. in the Justice Courtroom.

UNSCHEDULED: CONSIDERATION OF ORDER MODIFYING ORDER #85-181 AND ADDING A FEE FOR BED AND BREAKFAST FACILITIES: The Commissioners approved the order at a board meeting February 25, 1987.

The Commissioners signed Order #87-28.

UNSCHEDULED: CONSIDERATION OF CANDIDATES FOR OREGON COAST ASSOCIATION BOARD OF DIRECTORS: Commissioner Creasy moved, Commissioner Woodward seconded, to approve Dale Stockton and Don Johnston as directors on the Oregon Coast Association Board of Directors, passed with three aye votes.

UNSCHEDULED: CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT WITH WILLARD BERRY AND BARBARA POWELL: This agreement changes the rate of pay to \$15.00/hour and adds Barbara Powell as Mr. Berry's partner.

Commissioner Creasy moved, Commissioner Woodward seconded, to approve the professional services agreement with Willard Berry and Barbara Powell as Consulting Foresters, passed with three aye votes.

The Commissioners signed the Agreement.

UNSCHEDULED: PUBLIC TESTIMONY FOR COUNTY CLERK'S POSITION: Robert Houston said he was in support of Jo Veltri. He said she has run the office on a day-to-day basis and is well qualified for the position.

Bill Bonner asked what influence the Democratic Party's recommendation had on the Board. Chairman Kinkade said by law the Party makes a recommendation, but the Board of Commissioners makes the final decision. Interviews will be held with the three applicants Friday, and the Board will make the appointment next Wednesday.

Frank and Jean Mock spoke in favor of Ms. Veltri. Mr. Mock said with her expertise and knowledge of the office, she was well qualified.

Richard Dental said Ms. Veltri was very gracious when precinct people had questions.

Ken Burdick said he would like to see Ms. Veltri appointed Clerk.

UNSCHEDULED: DISCUSSION CONCERNING EASEMENT WITH STATE BOARD OF FORESTRY: The easement would allow Forestry to cross county roads for access to state forest lands, allowing the transportation of forest products across these roads. Mr. Young said the county sent the easement to the state requesting a non-exclusive easement. The State returned the easement with new terminology. It remains an exclusive easement, but says the Grantor reserves the right of ingress, egress, and regress over said easement for public purposes.

Commissioner Woodward said the new terminology covers the concern he had that the county would still be able to use the roads.

Commissioner Creasy moved, Commissioner Woodward seconded, to approve the easement with the State Board of Forestry, passed with three aye votes.

The Commissioners signed and Ms. Sheldon notarized three copies of the easement.

ITEM NO. 2: DISCUSSION CONCERNING DECISION TO ALLOW REDEMPTION OF TAX FORECLOSED PROPERTY: Ms. Becraft said the Board in January allowed Lester Fultz to redeem eight parcels of property. He has redeemed seven parcels. Ms. Becraft asked that a letter be sent giving him a time limit to redeem the last parcel.

Mr. Young recommended allowing Mr. Fultz 30 days to redeem the property or the Board's offer will be rescinded.

Commissioner Creasy moved, Commissioner Woodward seconded, to have Mr. Young write a letter to Mr. Fultz, passed with three aye votes.

ITEM NO. 3: CONSIDERATION OF TWO TAX DEEDS FOR PORT KENDALL, INC.: Chairman Kinkade said Port Kendall has paid in full for the two parcels.

Commissioner Creasy moved, Commissioner Woodward seconded, to approve and sign the tax deeds for Tax Lot 2N10 9CA 2603 and Tax Lot 1N10 34DB 6700, passed with three aye votes.

The Commissioners signed and Ms. Sheldon notarized the tax deeds.

ITEM NO. 4: PUBLIC HEARING: LIQUOR LICENSE APPLICATIONS FOR TILLAMOOK SUPERMARKET, BAYSIDE GARDENS TEXACO & GROCERY, THE DELI AT NESKOWIN, JETTY PARK GROCERY, MACDONNELL'S MARKET, LEE'S CAMP STORE, HEBO MARKET, THOUSAND TRAILS, AND BAYSIDE GARDENS INN:
Ms. Becraft said Ms. Cameron recommended approval of all the establishments, except Bayside Gardens Inn, which has not been advertised.

Commissioner Creasy moved, Commissioner Woodward seconded, to approve the applications for the establishments, except Bayside Gardens Inn, passed with three aye votes.

Chairman Kinkade signed the applications.

ITEM NO. 5: CONSIDERATION OF ADOPTION OF FAIR HOUSING RESOLUTION: Items 5, 6, and 7 are required to comply with grant applications.

Commissioner Creasy moved, Commissioner Woodward seconded, to approve order adopting a fair housing resolution for Tillamook County, passed with three aye votes.

The Commissioners signed Order #87-29.

ITEM NO. 6: CONSIDERATION OF ADOPTION OF RESOLUTION SUPPORTING ASSISTED HOUSING PROGRAMS: Commissioner Creasy moved, Commissioner Woodward seconded, to approve order adopting resolution supporting assisted housing programs, passed with three aye votes.

The Commissioners signed Order #87-30.

ITEM NO. 7: CONSIDERATION OF ADOPTION OF EQUAL OPPORTUNITY/AFFIRMATIVE ACTION POLICY: Commissioner Creasy moved, Commissioner Woodward seconded, to approve order adopting equal employment opportunity/affirmative action policy, passed with three aye votes.

The Commissioners signed Order #87-31.

Mr. Young said it is a duty of the county now to promote these programs. Commissioner Creasy said Don Mason is handling it.

ITEM NO. 9: CONSIDERATION OF APPOINTMENT OF WESLEY SIMMONS AND HARRY ELLIOTT TO THE TILLAMOOK COUNTY PIONEER MUSEUM COMMISSION: Commissioner Creasy moved, Commissioner Woodward seconded, to appoint for three year terms Wesley Simmons and Harry Elliott to the Tillamook County Pioneer Museum Commission, passed with three aye votes.

The Commissioners signed Order #87-32.

ITEM NO. 10: CONSIDERATION OF ORDER TRANSFERRING FUNDS BETWEEN BUDGETED LINE ITEMS FOR SHERIFF'S DEPARTMENT: Mr. Young said Motorola is discontinuing their model, and the Sheriff's Department has 30 days to purchase the equipment needed. Commissioner Creasy moved, Commissioner Woodward seconded, to approve the transfer of funds for radio equipment, passed with three aye votes.

The Commissioners signed Order #87-33.

ITEM NO. 11: CONSIDERATION OF ORDER APPOINTING MEMBERS TO THE PUBLIC HEALTH ADVISORY BOARD: The Commissioners approved the appointment at a staff meeting February 27, 1987 of Roy B. Mason, Michael E. Kelly, Raymond A. Ferguson, James R. Becraft, Marlene Tuthill, Garey R. Mark, Laurie Mulder, Lori E. Mackay and Edna A. Roth to the Public Health Advisory Board.

The Commissioners signed Order #87-34.

UNSCHEDULED: DISCUSSION CONCERNING XEROX MACHINES: Mr. Young said Neal Lemery received Judge Christensen's approval to put the xerox machine that had been in the hallway into his office, and had issued her a key. This situation is now becoming a problem for Justice Court. Judge Christensen would like a machine for her office. The Assessor's Office and Community Development would also like machines. Mr. Young said xerox machines have been included in next year's budget proposal.

It was the Board's consensus to have Mr. Lemery move the machine back into the hallway, and address the purchasing of xerox machines at the beginning of the new budget year.

ITEM NO. 8: DISCUSSION CONCERNING CIRCUIT/DISTRICT COURT PHONE SYSTEM: George Evans said the courts currently have one county intercom line on their system, and requested two more lines be installed. He said it is a disadvantage to their offices because it is difficult to get the line available and difficult to get the calls to the right office. Mr. Evans said it would also be convenient for county offices who need to contact the courts.

Commissioner Woodward asked Lt. Dye if he had cost figures available. Lt. Dye said, "no." The county is co-owners of the system

with the City of Tillamook. Mr. Mahoney, City Manager feels those people who use the services of the switch should be charged monthly for the use of the machines. He said giving up two extension spaces limits the capabilities of the system.

Mr. Evans said the courts would pay installation costs but preferred not paying on-going costs. Mr. Young asked Mr. Evans if the courts would be interested in buying into the system. Mr. Evans said not at this time.

It was the Board's consensus to have Lt. Dye investigate the cost situation and report back to the Board with his findings.

ITEM NO. 12: DISCUSSION CONCERNING WILSON RIVER GRAVEL BAR:

Chairman Kinkade said Pete Jacobs would like to remove gravel off the bar this summer. The bar has built up and is washing up against Pete Peterson's property. Mr. Jacobs said Mr. Peterson would like to see some of the gravel removed. Mr. Jacobs said he would take the bulkhead off of the bar, so it will fill in better. He has access from his property.

Mr. Affolter said it is not on dedicated Park lands. There is no legal constraint to taking the gravel. If the Board is interested in working something out with Mr. Jacobs, the permit process would involve a county conditional use or development permit and a state DSL review. Mr. Affolter said Clair Kunkle from Fish and Wildlife, Mr. Jacobs and himself will take a look to see if Fish and Wildlife has concerns.

Mr. Affolter said if Mr. Jacobs can get through the permit process, the Board needs to decide if it wants the gravel taken off. It was the Board's consensus that they would not be opposed to Mr. Jacobs taking the gravel off the bar.

Mr. Affolter asked if Mr. Jacobs would have to bid the gravel. Mr. Young said there is an obligation for the Board to go through the bid process, but the number of bidders would be limited, as Mr. Jacobs has the only legal access.

Chairman Kinkade asked how a price for the gravel would be determined. Mr. Jacobs said Ed Werner is paying the City of Bay City .30/yard. It was the Board's consensus that a minimum bid of fair market value would be set in the range of .25-.30/yard.

ITEM NO. 13: PRESENTATION BY STATE FORESTRY OF THE EARLY FOLIER SPRAY PROJECT: Steve Dutton presented a map and showed the sites for the early folier spray project, which would begin in May and go through July. 751 acres spread throughout the county will be treated with 2-4-D in order to release young conifers from overtopping alder. The conifer plantations being treated are six to seven years old with an average height of 7'-9'. The average

height of the alder is 10'-14'. The site preparation is two-fold: to brown up the brush for efficient burning and to control future sprouting. Notification letters have been sent to adjacent landowners, and the Forestry hasn't received responses.

Commissioner Creasy asked if two of the sites were to be re-sprayed. Mr. Dutton said there is a piece in Beaver that was sprayed too late in the season two years ago and did not take very well. There is also a 5-acre site on the Kilchis that is an on-going experiment involving Roundup and 2-4-D. Mr. Labhart said the research project on the Kilchis is to see what impact the spraying has on the alder. No conclusions or decisions have been made, but the testing is continuing.

Mr. Young asked if the purpose was to give the conifers a chance to catch up. Mr. Labhart said, "yes." Mr. Labhart said this project is to protect the approved conifer plantations.

Commissioner Woodward said he had no problem with the project. Chairman Kinkade said Forestry is concerned in protecting their investment.

Commissioner Creasy introduced R.C.A. Moore of Diversified Chipping. Mr. Moore said the alder industry has problems with resource space. The products shipped from hardwood mills in Tillamook County leave more money in Tillamook than the softwood market. He said the hardwood should not be sprayed, especially if it is large enough to harvest.

Mr. Labhart said the alder spraying is being done on conifer plantations. The state would not allow anyone to go in and harvest the alder because it would be impossible to harvest without damaging the conifers. Forestry is not spraying vast alder patches. Mr. Labhart said he strongly supports the alder industry.

Mr. Moore asked if Forestry was looking at other options besides spraying. Mr. Labhart said not at the present time, but they would be willing to look at other options.

Mr. Dutton added the whole program is not totally chemically done. Work is also done by hand, but the cost is much more expensive.

Mr. Dutton and Mr. Moore agreed to make an appointment to go look at the situation.

Commissioner Creasy felt Forestry is on the wrong track regarding spraying of 10-year old alder. He said Forestry is negligent in not developing a management plan for alder as a resource and it has a responsibility in managing county property to figure out how to bring the alder to market.

Commissioner Woodward moved, Chairman Kinkade seconded, to allow the early folier spray project, passed with two aye votes. Commissioner Creasy voted nay.

SITTING AS THE BOARD OF THE
HEBO SERVICE DISTRICT:

ITEM NO. 14: MISCELLANEOUS SERVICE DISTRICT MATTERS: Chairman Kinkade said Tom Adams has requested reimbursement for mileage and phone calls.

Commissioner Creasy moved, Commissioner Woodward seconded, to approve mileage and phone expense for Mr. Adams, passed with three aye votes.

Commissioner Woodward said the man who might have been interested in being the operator at Hebo was not interested.

Commissioner Creasy asked if the county could apply for another grant on an emergency basis, because the plant isn't functioning properly. Chairman Kinkade said we would be told to go back on the engineer because he designed the system.

Ms. Richards said some decisions need to be made, because the budget is overspent. Chairman Kinkade said it is hard to get anyone to decide what needs to be done.

It was the Board's consensus this would be discussed with Mr. Young.

SITTING AS THE BOARD OF THE
SOLID WASTE SERVICE DISTRICT:

ITEM NO. 15: MISCELLANEOUS SERVICE DISTRICT MATTERS: Mr. Oshel was absent. Commissioner Woodward said the Solid Waste Advisory Committee recommended a rate increase for the franchisers.

Lee Walker asked what the payment schedule is for John Stryfeler. Chairman Kinkade said he is paying on a cash basis now and has until June 30 to make up the difference.

SITTING AS THE BOARD OF COMMISSIONERS:

ITEM NO. 16: MISCELLANEOUS PUBLIC WORKS: Mr. Oshel was absent.

UNSCHEDULED: DISCUSSION CONCERNING JACK CREEK WATER DISTRICT: Chairman Kinkade said the original grant was to be for a supplemental well to the system that was operating. When the system came on line, the Health Department said the surface water supply had to be cut off to comply with the grant. Since that time the

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well has dropped to 5 gallons per minute for 14 houses. Chairman Kinkade said a new water source has to be found, which means another grant. He talked to Don Mason, who has begun work on the grant application.

Chairman Kinkade adjourned the meeting at 11:55 a.m.

RESPECTFULLY SUBMITTED this 6th day of March, 1987.

Dorene Sheldon
Dorene Sheldon, Recording Secretary

APPROVED BY:

DJK
DJK

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GJC

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GAW