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MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING
Wednesday, April 1, 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: Kathy Kelso, Personnel Director; Lt. Tom Dye, Emergency Management; Sue Cameron, Health Department Administrator; Paul Levesque, Research Consultant; Jon Oshel, Public Works Director

GUESTS PRESENT: Lee Walker, Robert and Veta Azure

ITEM NO. 1: CALL TO ORDER: By Chairman Kinkade at 10:03 a.m. in the Justice Courtroom.

UNSCHEDULED: DISCUSSION CONCERNING PERSONNEL AUDIT: Ms. Kelso finished her audit in the Assessor's Office, and discussed the memo sent to the Board. Several positions are misclassified; the Clerk II position should be a Clerk III. It is already negotiated in the contract, and all that is necessary is to call the union. Ms. Richards said funds were available in the current budget. The other recommendations Ms. Kelso discussed will need to go before the Budget Committee.

Commissioner Creasy moved, Commissioner Woodward seconded, to approve the Clerk II classification in the Assessor's Office be changed to a Clerk III classification, passed with three aye votes.

UNSCHEDULED: DISCUSSION CONCERNING LETTER TO PACIFIC FISHERY MANAGEMENT COUNCIL: Commissioner Creasy went over the meeting with Dave Schlip last night regarding commercial troll fishery north of Newport. There is a discrepancy in the commercial fish take and Mr. Schlip suggests adjusting the commercial troll season on coho. A Pacific Fishery Management Council hearing will be held tonight, and Commissioner Creasy recommended the Board support the concept of a new commercial option to the coho plan for the coho fishery south of Cape Falcon.

It was the Board's consensus to write a letter in support of the concept.

UNSCHEDULED: DISCUSSION CONCERNING SPECIAL NEEDS TRANSPORTATION HOUSE BILL 2204: Commissioner Creasy received a letter from the Committee On Accessible Transportation stating it looks hopeful that increased funding will be available through the proposed two cent cigarette tax. In order to gain the new funding, they are asking for participation from counties who need the additional

funds for other programs of interest. He felt there is enough money in the Special Transportation Fund for the needs in Tillamook County, and the funds could better be used in the area of Mental Health, specifically the Alcohol and Drug area. Commissioner Creasy said a letter should be written to apply for funding for mental health.

It was the Board's consensus to have Commissioner Creasy draft a letter for the Board's signature.

UNSCHEDULED: CONSIDERATION OF ORDER/RESOLUTION APPROVING OREGON BUSINESS DEVELOPMENT FUND PROJECT PROPOSAL BY JOE MARKEE FOR RV CAMPGROUND: Commissioner Woodward said Mr. and Mrs. Markee are applying for funds from the Oregon Business Development Fund. In order to apply for funding, an Order/Resolution of support from the Board is necessary.

Commissioner Creasy moved, Commissioner Woodward seconded, to approve the Order/Resolution supporting the Oregon Business Development Fund Project Proposal by Joe Markee, passed with three aye votes.

The Commissioners signed Order/Resolution #87-45.

ITEM NO. 2: CONSIDERATION OF REQUEST TO INCREASE AUTO EXPENSE ALLOWANCE FOR MARINE PROGRAM: Lt. Dye said the marine deputy, Kelly Palmer, has been receiving a flat rate of \$75/month for auto expenses the last several years. He did not feel that amount is adequate to cover insurance and other auto expenses incurred. Mr. Palmer uses his own vehicle.

Chairman Kinkade asked how much Mr. Palmer drives. Lt. Dye estimated 1,000 miles per month, mostly to pull his boat trailer.

Commissioner Creasy asked if this was a four-month program. Lt. Dye said it is a 12-month program, but the boost is for about seven months. Ms. Kelso said Mr. Palmer usually works ten months.

Ms. Kelso was concerned about the flat rate payment for auto expense. She said it should be more trackable and then computed at the IRS rate of 20.5¢. Lt. Dye agreed that concept should be developed before the next budget year, but felt the expense should be increased now and adjusted later. Commissioner Creasy disagreed.

Mr. Young said this conflicts with the auto maintenance policy. Mr. Palmer should use a county vehicle, as there could be potential liability with insurance. Commissioner Creasy and Lt. Dye saw no problem in Mr. Palmer using his own vehicle.

It was the Board's consensus to have data on Mr. Palmer's mileage before an increase would be authorized. Lt. Dye will have Mr. Palmer turn in his expense sheet each month and be reimbursed accordingly.

ITEM NO. 3: CONSIDERATION OF ORDER TRANSFERRING FUNDS BETWEEN BUDGETED LINE ITEMS FOR THE ASSESSOR'S OFFICE: This order was approved at last week's meeting to allow the Assessor to purchase a printer.

The Commissioners signed Order #87-46.

ITEM NO. 4: PUBLIC HEARING: LIQUOR LICENSE APPLICATION FOR MONTY'S BAY SHORE TAVERN & CAFE: Ms. Cameron recommended approval.

Commissioner Creasy moved, Commissioner Woodward seconded, to approve the liquor license application, passed with three aye votes.

Chairman Kinkade signed the application.

ITEM NO. 5: CONSIDERATION OF TAX DEED FOR J. M. AND STELLA MCDONALD FOR LAND SALES CONTRACT #894: Commissioner Creasy moved, Commissioner Woodward seconded, to execute the tax deed, passed with three aye votes.

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

ITEM NO. 6: CONSIDERATION OF ORDER DIRECTING THAT ALL TAX DEEDS BE RECORDED UPON CONVEYANCE: Mr. Levesque said the process during land sales has been to record all contracts and deeds. Occasionally when a property owner comes in to pay off the taxes, penalty, and interest, the deed is not recorded by the owner in a timely fashion. Unless that occurs, the assessment for taxes does not begin properly. This order requires the grantee pay the recording fee when he comes for the deed, insuring that the deed is recorded at the time it is delivered.

Commissioner Woodward said the recording fee should be incorporated into the administrative fee. Mr. Levesque said that would have to be remembered when waiving the administrative fee, as it would also be waiving the recording fee. Commissioner Woodward was under the impression part of the administrative fee was for the recording fee. Mr. Young said theoretically it was. The importance to him was the cleanliness of the records.

After further discussion, a new order was prepared, which stated the costs of recording would be charged to the grantor as part of the administrative fee. Commissioner Creasy moved, Commissioner Woodward seconded, to approve the order, passed with three aye votes.

The Commissioners signed Order #87-47.

UNSCHEDULED: DISCUSSION CONCERNING PROPERTY IN ROCKAWAY BEACH:
Mr. Levesque said Commissioner Woodward had talked with him regarding the City of Rockaway Beach's interest in a parcel adjoining Clear Lake. The county acquired the property in the 1930's in foreclosure proceedings. At that time the legal descriptions were "tract book descriptions," which are no longer in use. The particular descriptions in that area are tied to a government lot which has no documentation or survey, so the point of beginning is uncertain. In order to convey it, a survey can be done, but would be time consuming and expensive. The other option would be to research and put together a folder of all the adjoining deeds. What is left would be a legal description of only those portions of property which have no conflicts with adjoining owners. Mr. Duncan and the title companies feel this is an appropriate method. Mr. Levesque said it would take three to four days of research, and Mr. Duncan could spend a short time reviewing it for accuracy. Rockaway Beach mentioned a nominal fee, possibly \$500, for the transfer to cover the cost of the research.

Commissioner Creasy asked if there was any possibility Rockaway Beach would be willing to take a road in exchange for the parcel.

Commissioner Woodward felt the county shouldn't spend money on the research and give it to them at no charge. Commissioner Woodward will contact the mayor and report back to the Board.

ITEM NO. 7: CONSIDERATION OF COMMISSION PROCEEDINGS: Commissioner Creasy moved, Commissioner Woodward seconded, to approve the Commission Proceedings for March 1987, passed with three aye votes.

The Commissioners signed the Commission Proceedings.

ITEM NO. 8: CONSIDERATION OF ORDER TRANSFERRING FUNDS BETWEEN BUDGETED LINE ITEMS FROM AUTO EXPENSE TO GASOLINE: Mr. Young said the policy in this year's budget was auto expenses would come out of the Courthouse budget. Appropriated in that order were line items for travel in several departments. The theory was that when a person charged against their own travel line they would be debited from their line and reimbursed out of the Courthouse line. This policy has not worked consistently, and in order to prevent further expenditures, whatever is left in the individual department gas lines will be transferred to the Courthouse line. The new budget being proposed follows this theory.

Mr. Young said some departments have no funds left in the line item. Ms. Kelso said it was not consistent to transfer funds from some departments and not others and penalizes departments that have not spent their funds.

Commissioner Creasy said Ms. Cameron has a fear of driving a county car and breaking down at night. Mr. Young said with the new auto maintenance policy, the cars will be maintained.

Ms. Kelso said many organizations have a two-tier system on travel: the first option is to take a county vehicle; the second they need approval in advance from their supervisor and are reimbursed at a lesser rate if using their own vehicle. If it comes down to just a personal preference, the county should draw the line. Mr. Young said this idea could be brought up before the Budget Committee.

Commissioner Woodward asked what the Commissioners would do, because they always use their personal vehicles. Mr. Young said this would be a standard policy, effecting all departments. If the Commissioners chose to use your own vehicles, the policy would be tied into them also. Chairman Kinkade agreed the Board should not be an exception. Mr. Young said the only distinction between the Commissioners and other departments are "when aren't the Commissioners on county business?"

Commissioner Creasy moved, Commissioner Woodward seconded, to approve the order transferring funds from auto expense and travel to Courthouse gasoline, passed with three aye votes.

The Commissioners signed Order #87-48.

UNSCHEDULED: DISCUSSION CONCERNING FREEZING EXPENDITURES: Mr. Young prepared a memo to department heads and elected officials instituting a freeze on expenditures effective April 17, 1987.

After further discussion, Commissioner Creasy moved, Commissioner Woodward seconded, to authorize Mr. Young to send the memo, passed with three aye votes.

SITTING AS THE BOARD OF THE HEBO SERVICE DISTRICT:

ITEM NO. 9: MISCELLANEOUS SERVICE DISTRICT MATTERS: Mr. Young said letters have been sent to those who requested work done by the District, as discussed at the workshop March 23, 1987. He also sent a letter with the requests that be done by the engineers, asking what they would take care of.

Commissioner Woodward said valve #7 on the tank at the reservoir has been taken care of. The water was shut off in two other places, because the engineers had not shown Mr. Thompson how to

turn the valves on. Opening the valve will allow the third tank to fill, creating more storage.

SITTING AS THE BOARD OF THE
SOLID WASTE SERVICE DISTRICT:

ITEM NO. 10: MISCELLANEOUS SERVICE DISTRICT MATTERS: Mr. Oshel said the repeal of the solid waste user fee has tentatively failed, and gate fees at the landfill will go up \$2.00/yard.

Mr. Oshel said the legal opinion on billing the service charge is necessary from the Attorney General. The supplemental budget needs to be prepared for the overrun on three line items. Applications for the Solid Waste Budget Committee were advertised, and Hallie Kirkingberg was the only applicant.

SITTING AS THE BOARD OF COMMISSIONERS:

ITEM NO. 11: MISCELLANEOUS PUBLIC WORKS: Chairman Kinkade asked Mr. Oshel to look into the request for a speed limit reevaluation of North Fork Road and McDonald Road in Nehalem. Mr. Oshel will look into the matter and write a letter to Mrs. Trevarthen.


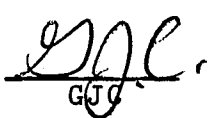

Commissioner Creasy asked Mr. Oshel about the possibility of Rockaway Beach taking over the maintenance of a road in exchange for the parcel in Rockaway Beach. Mr. Oshel said there is a list of the roads the county would like them to take over.

Chairman Kinkade adjourned the meeting at 11:30 a.m.

RESPECTFULLY Submitted this 2nd day of April, 1987.

Dorene Sheldon
Dorene Sheldon, Recording Secretary

APPROVED BY:

 EJK  GJC  GAW