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MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING
Wednesday, May 13, 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: Sue Cameron, Health Department Administrator; Jon Oshel, Public Works Director; Willard Berry, Forester; Charlie Anderson, Parks Superintendent; Judy Wagner, Bookkeeper; Don Helwig, Fair Manager; Sheriff David Wilson; Lt. Don Watters

GUESTS PRESENT: Mike Sims, Headlight Herald; Lyle Specht and Ron Gienger, Fair Board; Edna Lemmon, Oceanlake Ready Mix Company; Jan Packard, Lopez Paving, Inc.; Don LaFrance and Wayne Auble, Oregon State Forestry; Gary Nichol森, J. C. Compton Contractor; Gary Pason, Oregon Asphalt

ITEM NO. 1: CALL TO ORDER: By Chairman Kinkade at 10:05 a.m. in the Justice Courtroom.

UNSCHEDULED: REQUEST FOR AUTHORIZATION TO SIGN BUDGET SHEETS FOR OREGON STATE HEALTH DIVISION: Ms. Cameron said each year the county submits a health plan to the Oregon State Health Division. A budget of how the grant money will be spent is also required. She has been given authorization in the past to sign the budget sheets and requested authorization to sign this year.

Commissioner Woodward moved, Commissioner Creasy seconded to give Ms. Cameron authorization to sign the budget sheets, passed with three aye votes.

ITEM NO. 2: PRESENTATION OF JOINT TIMBER SALE WITH STATE FORESTRY ON 4-H PROPERTY: Mr. LaFrance said there is a change in the contract since it was last discussed with the Board. The Attorney General's opinion stated the State Forestry cannot be the only signature on the contract when there is a co-owner. The county is also required to co-sign. Mr. LaFrance said the co-signing is required because of a possible default situation.

Mr. LaFrance said the planned date for sale is June 26, 1987. He submitted a copy of the contract for the Commissioners' review.

Mr. Auble submitted a copy of the timber appraisal, cruise report and breakdown of estimated revenue. Sixty percent of the parcel is state owned and forty percent county owned.

Commissioner Creasy asked if the last time the parcel was logged if the revenue was designated for Parks or the general fund. Commissioner Woodward said it went into the general fund.

The management agreement was discussed. Mr. LaFrance said part of the purpose of it is to keep various age classes for educational purposes.

Mr. Young asked if the land had a dedication on it. Mr. LaFrance said the Commissioners dedicated the property for 4-H forest management use. Mr. Young said the dedication could be modified.

The Board requested Mr. Young review the legal description to see what the dedication is. He said it may be a moot issue if it has a Parks dedication because Parks is part of the general fund.

ITEM NO. 3: BID OPENING: FOSS ROAD CHIP SEAL COAT: Chairman Kinkade opened the six bids as follows:

- 1) L. T. Contractors, Inc. - \$64,239.00
- 2) J. C. Compton Contractor, Inc. - \$29,605.80
- 3) Lopez Paving, Inc. - \$44,688.00
- 4) Oceanlake Ready Mix Company - \$93,286.20
- 5) S-C Paving Co. - \$29,047.20
- 6) Oregon Asphaltic Paving Co. - \$28,488.60

Mr. Oshel will review the bids for specifications.

ITEM NO. 4: CONSIDERATION OF RESOLUTION LISTING TILLAMOOK COUNTY'S PRIORITIES FOR THE STATE'S SIX YEAR HIGHWAY IMPROVEMENT PROGRAM: Mr. Oshel said he also prepared a draft of a letter for the Board's signature to the Region 1 Engineer expressing the county's continued support of the "Wilson River Highway, Milepost 28-38 project".

Commissioner Creasy moved, Commissioner Woodward seconded to approve the order proposing projects for the Six-Year State Highway Improvement Program for Tillamook County, passed with three aye votes.

The Commissioners signed Order #87-63 and signed the letter later in the day.

ITEM NO. 5: CONSIDERATION OF CONTRACT AGREEMENT WITH PUD AND TILLAMOOK COUNTY: Chairman Kinkade said the rural and suburban area lighting contract is for construction of electrical facilities for Pacific City Neighborhood Park totaling \$939.

Commissioner Creasy moved, Commissioner Woodward seconded to approve the contract, passed with three aye votes.

Chairman Kinkade signed the Rural and Suburban Area Lighting Contract and two copies of the Line Extension Agreement.

ITEM NO. 6: CONSIDERATION OF COMMISSION PROCEEDINGS: Commissioner Creasy moved, Commissioner Woodward seconded to approve the Commission Proceedings for April 1987, passed with three aye votes.

The Commissioners signed the Commission Proceedings.

ITEM NO. 7: CONSIDERATION OF AGREEMENT WITH U. S. DEPARTMENT OF THE ARMY FOR USE OF BAYOCEAN PENINSULA FOR SURVIVAL TRAINING: Chairman Kinkade said this is done annually. The permit request is for two sessions a year for a five year period.

Commissioner Creasy moved, Commissioner Woodward seconded to approve the permit, passed with three aye votes.

Chairman Kinkade signed three copies of the permit.

ITEM NO. 8: UPDATE ON COUNTY PROPERTY APPRAISAL: Mr. Young said the county spent \$5,000 for the appraisal list and he felt it was important to tag the items.

Ms. Wagner said labels that would void if taken off cost \$3,000. Labels are also available for \$900, but require special equipment and preparation of the surface. Commissioner Woodward said the Farm Bureau said the county could use their marking equipment which would be far less expensive.

There was consensus to have Commissioner Woodward borrow the equipment and try some samples of engraving. Ms. Wagner said it may require particular expertise to do it with clarity.

Ms. Wagner said a lot of things need to be added to the appraisal list, but she does not have the time to do it.

ITEM NO. 9: BID OPENING: WHISKEY CREEK ROAD CHIP SEAL COAT: Chairman Kinkade opened the six bids as follows:

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| 1) Lopez Paving, Inc. | - \$43,168.00 |
| 2) Oregon Asphaltic Paving Co. | - \$33,455.20 |
| 3) J. C. Compton Contractor, Inc. | - \$35,613.60 |
| 4) Oceanlake Ready Mix Company | -\$110,078.40 |
| 5) S-C Paving | - \$31,836.40 |
| 6) L. T. Contractors, Inc. | - \$59,356.00 |

Mr. Oshel said S-C Paving is the apparent low bidder. He will review the specifications.

ITEM NO. 10: CONSIDERATION OF FINANCING THE COUNTY FAIR: Mr. Specht said the Fair Board met last week and reviewed the financial condition of the fair. It owes the county \$13,000 and has no provisions to pay it back. It needs an additional \$12,00 to get the fair ready for this year.

Mr. Specht said the Fair Board is trying to have the convention center and buildings in use year round, but it takes considerable outlay to get it on a paying basis.

Mr. Specht said Ms. Richards and Mr. Young recommended the Fair Board go for a levy. The Fair Board requested a 3-year \$98,000 serial levy for fair operating and maintenance expenditures be put on the June ballot. Mr. Helwig submitted a proposed budget that would be used if the serial levy passes.

Mr. Specht said the Fair Board has the impression the Commissioners have no confidence in them. If that is the case, they are willing to resign and have someone else appointed to the Board.

The possibility of using .0625 of the assessed value of the county for fair purposes was also discussed. Mr. Young said it is not an add-on figure; it is an allocation as part of the tax base.

Mr. Specht continued explaining the problems affecting the fair.

Chairman Kinkade said if the Fair Board could get the support of the horse people, the levy would pass.

Mr. Specht asked what would happen if the levy didn't pass. Mr. Young said the general fund will have to borrow from the Road fund to pay the \$13,000 debt. The Budget Committee will have to address the other fair needs on a priority basis, along with the other departments.

After further discussion, Mr. Specht requested the Commissioners put the three-year \$98,000 serial levy on the June ballot.

ITEM NO. 11: SANDLAKE ROAD CHIP SEAL COAT: Chairman Kinkade opened the six bids as follows:

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|-----------------------------------|---------------|
| 1) Lopez Paving, Inc. | - \$39,792.00 |
| 2) J. C. Compton Contractor, Inc. | - \$34,818.00 |
| 3) Oregon Asphaltic Paving Co. | - \$34,320.60 |
| 4) L. T. Contractors, Inc. | - \$54,714.00 |
| 5) S-C Paving Co. | - \$29,346.60 |
| 6) Oceanlake Ready Mix Company | -\$104,454.00 |

Mr. Oshel said S-C Paving was the apparent low bidder. He will review the specifications and discuss the bids under the Public Works agenda item.

ITEM NO. 12: CONSIDERATION OF INSURANCE AGENT OF RECORD: Mr. Young said an order was passed and rescinded several months ago appointing G & M Insurance as the county's agent of record.

Commissioner Creasy requested at that time more investigation be done, and the county went through the advertising process.

Mr. Young said offers were received from G & M Insurance and Tom Allen Insurance, both of Tillamook. Both offered similar services. Mr. Young expressed his satisfaction with the work G & M has done in the past.

Mr. Young said the basic concept of an agent of record has changed the last few years and the agent is now basically the insurance carrier also. Commissioner Creasy agreed and said it would be helpful in the future to train someone in-house as the agent of record.

Commissioner Creasy said a three-year contract wasn't appropriate, as it would bind future Commissioners to a decision made by the present Board.

Mr. Young said a clause could be included in the agreement to have it be a three-year appointment in one year segments that will be automatically renewed unless either side gives a 90-day written notice.

Commissioner Creasy moved, Commissioner Woodward seconded to appoint G & M Insurance as the county's agent of record for a 3-year contract with a 90-day option, passed with three aye votes.

Mr. Young will prepare an order.

ITEM NO. 13: CONSIDERATION OF LETTER TO STEP ADVISORY COMMITTEE CONCERNING STEP CONFERENCE IN 1988: There was consensus to sign the letter supporting the nomination of Tillamook as the site for the 1988 STEP Conference, passed with three aye votes.

The Commissioners signed the letter.

UNSCHEDULED: CONSIDERATION OF REQUEST TO PAY HEALTH INSURANCE: Ms. Kelso said Tom Farrell's widow requested the county pay his health insurance for May as Mrs. Farrell is having extensive dental work done. The county would also have to pay the union dues totaling approximately \$200. Ms. Farrell has conversion rights for the health insurance, but it doesn't cover dental or vision coverage.

Ms. Kelso could not find a precedent. Mr. Young said a policy could be written with a one month clause in case of death.

After further discussion, Commissioner Creasy moved, Commissioner Woodward seconded to pay Mr. Farrell's health insurance and union dues for May with no reimbursement, passed with three aye votes.

ITEM NO. 14: CONSIDERATION OF AGREEMENT WITH SIUSLAW NATIONAL FOREST FOR PATROL ON MEMORIAL DAY AND LABOR DAY HOLIDAY WEEKENDS DURING 1987: Chairman Kinkade said there is a problem with a lack of deputies to do the patrol. He said there is a clause stating "if personnel is available" and asked Lt. Watters what he could schedule.

Lt. Watters said there is a concern to make a push on the state to help with some assistance on the registration fees they have attached to the ATVs.

Lt. Watters said when the management plan was first established there were 25% more deputies working, along with 15 reserves. If officers are required to work at Sandlake, they will have to be pulled off the street which he felt was a bad policy. He said the ability to do a good job is gone. Chairman Kinkade agreed and said the department is also currently missing two deputies. Mr. Lemery said the State Police are three positions short.

Mr. Young said this will be a clear statement that local agencies are not available.

Chairman Kinkade recessed the meeting at 12:05 p.m. and reconvened at 2:00 p.m.

ITEM NO. 14: (CONTINUED): Lt. Watters reviewed the problems that have occurred in the department with the loss of personnel and the inability to properly staff officers at Sandlake.

Commissioner Woodward was told retired officer Harold Kottre will be available to work at Sandlake. Lt. Watters was told there would be no state officers working at Sandlake.

Lt. Watters said a full-time duty officer is required at Sandlake; a part-time officer is not allowed. The officers that have been laid off lose their BPST certification and are not qualified. Lt. Watters said the county cannot contract with a private person to enforce state laws. He reviewed the costs to the county and said less calls are being received on holiday weekends than other weekends.

Mr. Young asked if the Sheriff would respond to emergency calls. Lt. Watters said, "yes."

Commissioner Woodward said the county would be starting a real problem if it didn't sign the contract. The people in that end of the county will feel they are being shortchanged. He said arrangements should be made to get people there or the county will face the same problems that it faced in 1978.

Mr. Young asked if a deputy could do one shift, 8-12 hours a day. Lt. Watters suggested the Sheriff sign the contract but specify the county cannot provide everything it has in the past.

There was consensus to have Lt. Watters review the schedules and see how much time can be allotted for Sandlake. A special Board meeting will be scheduled to sign the contract.

SITTING AS THE BOARD OF
THE HEBO SERVICE DISTRICT:

ITEM NO. 15: MISCELLANEOUS SERVICE DISTRICT MATTERS: Commissioner Woodward asked when the man will be available to do the jobs on the punch list.

There was consensus to have Mr. Adams contact the man to have the work done. Commissioner Woodward will call Mr. Adams.

SITTING AS THE BOARD OF THE
SOLID WASTE SERVICE DISTRICT:

ITEM NO. 16: MISCELLANEOUS SERVICE DISTRICT MATTERS: Mr. Oshel had nothing to discuss.

Commissioner Woodward said State Parks requested fees be waived at the landfill Saturday, June 16th to allow the garbage from the Beach Clean-up be dumped free of charge. He will get the license plate numbers of the trucks that will be dumping.

Mr. Oshel had no problems with the idea.

Commissioner Creasy moved, Commissioner Woodward seconded to waive gate fees at the landfill Saturday, June 16th for the Beach Clean-up, passed with three aye votes.

SITTING AS THE
BOARD OF COMMISSIONERS:

ITEM NO. 17: MISCELLANEOUS PUBLIC WORKS: Request to Sign Work Order: Mr. Oshel received a request for mowing services on a private road off Goodspeed Road for Russell Hamlich. Mr. Oshel will schedule the job and bill Mr. Hamlich.

Commissioner Creasy moved, Commissioner Woodward seconded to sign the work order, passed with three aye votes.

The Commissioners signed the work order.

Commissioner Woodward suggested contacting Harry Randall to see if he does mowing.

Use of Rock for Fisher's Point Timber Sale: Mr. Oshel was told by the state the county is giving away rock at the Nehalem Pit for State Forestry jobs. He later found out it referred to the county timber sale, and the contractor is allowed to use the rock to build the road. He said if the revenue from this sale is going to all agencies, the county should bill for the rock. Mr. Young said the money is going to the county only.

Mr. Young asked why the county should give rock away free. Mr. Oshel said Willard Berry set the sale up allowing the contractor to have the rock. Mr. Young said the contract says road rock may be obtained from the county, but it must be replaced.

Mr. Young will check with Mr. Berry.

Award of Chip Seal Bids: Mr. Oshel said Oregon Asphaltic Pavement was the apparent low bidder on the Foss Road contract at \$28,488.60, but they did not submit the required bid bond. The second bidder was S-C Paving at \$29,047.

S-C Paving was the low bidder on the Whiskey Creek Road contract at \$31,836.40 and Sandlake Road at \$29,346.60. Mr. Oshel recommended awarding the three contracts to S-C Paving totaling \$90,230.20.

Commissioner Creasy moved, Commissioner Woodward seconded to award the three contracts to S-C Paving.

Commissioner Woodward asked if Mr. Oshel discussed this with the union and how it will work. Mr. Oshel said they are aware it is happening. The union contract only enters in if it results in the layoff or demotion of employees.

The motion carried with three aye votes.

Mr. Oshel estimated \$100,000 in his budget for seal coats and requested the extra funds be used to make an offer to S-C Paving to extend the Sandlake contract back to Highway 101. This will bring the total cost to \$100,074.23.

Chairman Kinkade adjourned the meeting at 2:45 p.m.

RESPECTFULLY Submitted this 18th day of May, 1987.

Dorene Sheldon
Dorene Sheldon, Recording Secretary

APPROVED BY:

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DJK

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