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MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING
Wednesday, July 1, 1987
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COMMISSIONERS PRESENT: Dean J. Kinkade, Chairman
Gerald J. Creasy, Vice-Chairman
Gerald A. Woodward, Commissioner

STAFF PRESENT: Fred Young, County Counsel
Karen Richards, Treasurer
Susan Becraft, Recording Secretary

STAFF PRESENT FOR PORTIONS OF MEETING: Kathy Kelso, Personnel Director; David Wilson, Sheriff; Sue Cameron, Health Administrator; Irv West, Custodian; Charles Anderson, Parks Superintendent, Jon Oshel, Public Works Director

GUESTS PRESENT: Roger Pye and Ernie Josi, Soil and Water Conservation District; Robert C. Wilson, TCI; Mike Sims, Headlight Herald

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

UNSCHEDULED: REIMBURSEMENT FOR BOARD OF EQUALIZATION: Frank Ryan sent a note requesting \$5.00 per day of the per diem (\$50.00) be considered a reimbursement for meal expenses, thus being tax exempt.

Ms. Kelso asked what the statute requires. She thought the problem originated with the issue that the county must withhold Medicare from people that are in the county's employ. The computer would have to be re-coded to exclude this money which is not a big issue. Ms. Kelso said the election women might ask for the same privileges. The county does not pay employees lunch expenses and their entire salary is taxable.

Mr. Young left the meeting to look up the statute.

UNSCHEDULED: TEMPORARY USE PERMIT FOR HOOD-TO-COAST RELAY: The permit is for the use of the Cape Kiwanda parking lot from 8:00 a.m. August 14 (Friday) to noon on August 16 (Sunday).

Commissioner Creasy made a motion to sign the permit, Commissioner Woodward seconded, passed with three aye votes.

Chairman Kinkade signed the permit.

Mr. Young returned to the meeting.

UNSCHEDULED: SUBSCRIPTION TO THE "OREGON COAST" MAGAZINE: Commissioner Creasy made a motion to go ahead and subscribe to the "Oregon Coast" magazine for the County, Commissioner Woodward seconded, passed with three aye votes.

UNSCHEDULED: REIMBURSEMENT FOR BOARD OF EQUALIZATION CONTINUED:
Mr. Young said the statute says they "shall be paid for reasonable expenses." Chairman Kinkade asked about election boards. Mr. Young said that would be covered under a different statute, but the Board would still have a choice to make.

There was discussion concerning the Planning Commission which gets only mileage.

The Board's consensus was to leave the reimbursement policy as it currently stands until some investigation can be done.

UNSCHEDULED: PROFESSIONAL SERVICES AGREEMENT WITH TILLAMOOK COUNSELING INC. TO PROVIDE MENTAL HEALTH SERVICES: Mr. Wilson said the only changes in this year's agreement reflect the changes made by the State's Intergovernmental Agreement providing the funding. This agreement covers the first year of the 1987-89 biennium.

Commissioner Creasy made a motion to approve the agreement, Commissioner Woodward seconded, passed with three aye votes.

The Commissioners signed the agreement.

UNSCHEDULED: REQUEST TO USE BAYOCEAN SPIT: Sheriff Wilson had a request from Bonnie Dials to allow Delbert Dials who is in a wheelchair, his 77 year-old mother and a child to be taken by car to the end of the spit for a family reunion. Everyone else is going by boat.

Commissioner Creasy felt it was a bad precedent, but Commissioner Woodward felt if only one vehicle went it would be all right. Mr. Anderson said permission has been given in the past for others.

Board consensus was to allow one vehicle through the gate.

UNSCHEDULED: EXCESS VACATION ACCUMULATION REQUEST: Ms. Kelso said JoAnn Pye has requested to accumulate vacation time since Ms. Berry is on an extended vacation, Ms. Wagner is on sick leave, and the tax rush will begin shortly.

Board consensus was to allow the request.

The Commissioners signed the Excess Vacation Accumulation Request form later in the day.

UNSCHEDULED: MISCELLANEOUS PERSONNEL MATTERS: Ms. Kelso requested clarification from the Board on the following positions provided by the new budget:

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1. Justice Court: The budget sets \$2,500 for a position. Judge Christensen wants someone on a continuing part-time basis. Ms. Kelso can monitor expenditures so the funds are not over spent.

There was discussion on how much time part-time and fulltime this money would provide. Ms. Kelso said she heard the Budget Committee's intent was that it be a three-month temporary appointment for the summer. Mr. Young said that was the request.

Mr. Young stated that Judge Christensen's resignation is effective October 1 and there may not be a court after that time. Commissioner Creasy suggested a workshop be set to discuss both issues.

Commissioner Creasy said he recalled the intent was it would be full-time for three months or \$2,500, whichever came first, and he made a motion to that affect. Commissioner Woodward seconded, passed with three aye votes. Chairman Kinkade said he voted aye reluctantly.

2. Maintenance Position: Ms. Kelso said \$2,500 was allocated. Mr. Young said at the Budget Committee meeting two ideas were discussed: 1) to contract with a cleaning service to do a few intensive cleanings during the year, or 2) part-time as needed.

Ms. Kelso asked if the position should be filled at this time. Mr. Young said the direction should come from Mr. West.

3. Jail Cook: Ms. Kelso said she will negotiate with the Union for \$5.00/hour because that is what's in the budget. If she can't negotiate it, she asked if it would be a full-time position until the allocated funds are used up. Ms. Kelso has written the union and talked to Kieran Carney by phone. He was not happy with the \$5.00/hour.

Mr. Young said the request was for a full-time cook and the cost would be close to the amount budgeted. Adjustments could be made from other areas in the Jail budget to cover the position.

ITEM NO. 2: CONTRACTS FOR SOLID WASTE COLLECTION AT COUNTY PARKS WITH COAST SANITARY SERVICE, CITY SANITARY SERVICE, NESTUCCA VALLEY SANITARY SERVICE, AND R SANITARY SERVICE: Commissioner Woodward had a problem with Nestucca Valley's \$25.00 extra charge for Monday pickups at Cape Kiwanda. Nestucca claims it changes their route, but they go to Webb Park. Nestucca also charges a \$9.00 container rental while the other franchisers include it with their bids and their bids are considerably less than hers.

Mr. Anderson said he used the rates which were approved by the County for the franchisers. Commissioner Creasy said Ms. Dye does not own, but rents the containers.

Mr. Anderson said he asked Nestucca to pickup at Pacific City, Webb Park, and Cape Kiwanda July through August. He asked her to make a Monday morning pickup from her shop directly to Cape Kiwanda first thing which is out of her route. Her regular route is to Neskowin. It would take 45 minutes, but she charged for 30 minutes. Her rate is \$50.00/hour.

Commissioners Creasy and Woodward disagreed with Nestucca for the extra charge.

Mr. Anderson said he would like a pickup Sunday evening, but Nestucca refuses. There are four containers out now, but he asked for three. Last year they started with one container and ended up with three, three times a week. Chairman Kinkade said we can put out four this year and still have the same problem.

Commissioner Woodward said he would like to hold Nestucca Valley's contract. Nestucca is charging \$59.00 for each container even though there is no travel time for the second and third containers.

Commissioner Creasy said there is a lot of highway garbage and felt the Highway Division should help with the expense.

Commissioner Creasy make a motion to go with City, Coast, R Sanitary and hold the contract for Nestucca Valley Sanitary Service, Commissioner Woodward seconded, passed with three aye votes.

Mr. Anderson felt a workshop should be scheduled.

ITEM NO. 3: PUBLIC HEARING: CONSIDERATION OF LIQUOR LICENSE APPLICATION FOR GOLDEN COVE RESTAURANT AND LOUNGE: Ms. Cameron recommended approval.

Commissioner Creasy made a motion to approve the liquor license for Golden Cove Restaurant, Commissioner Woodward seconded, passed with three aye votes.

Chairman Kinkade signed the application.

ITEM NO. 4: DISCUSSION CONCERNING NAMING THE PACIFIC CITY NEIGHBORHOOD PARK: Mr. Anderson gave the Board copies of the proposed park plaque.

Mr. Anderson asked for direction on how to name the park. He likes the name of McCloskey Park or P C Park because there is already a community park by the Presbyterian church.

Commissioner Woodward thought it should be named Mugg Park in honor of the people in whose memory the land was donated.

Mr. Anderson said the living donors may not approve. He suggested approaching the Chamber of Commerce.

The Board's consensus was to have Mr. Anderson designate the Chamber of Commerce to name the park.

Mr. Anderson asked if the Board would approve the lettering on the plaque. Board consensus was they had no problem with it.

ITEM NO. 5: PROPOSED NO SMOKING POLICY: Ms. Kelso said the proposed policy was prepared because of the current trend in legislation as well as health and safety reasons. Several other Courthouses have adopted policies. She presented the proposal as "food for thought."

She suggested a meeting be held with the employees including the Custodian. The jail has requested exemption because of disciplinary problems.

Ms. Kelso said the signs already posted in the Courthouse designating smoking and non-smoking areas are not observed. Smoking is taking place in supply areas and cigarettes are put in trash cans. Mr. West said some employees leave burning cigarettes on desks. Employees go to the restroom on non-break time to smoke.

Ms. Cameron said the State Department of Human Resources and Lincoln County have smoke free offices. She suggested the Health Department offer smoking cessation classes.

Ms. Kelso said Workers Compensation claims are being filed by employees who are being subjected to cigarette smoke.

Mr. West said cigarette butts are thrown down by the gas pumps. Ms. Kelso said the suggestion has been made that after the pumps are removed, the area could be turned into a covered smoking picnic area.

Chairman Kinkade said the subject could be brought up at Elected Officials' and Department Heads' meetings. Ms. Kelso suggested employee/management meetings or a survey.

ITEM NO. 6: WEED SPRAYER RENTAL PROGRAM: Mr. Josi, Director of the Tillamook County Soil and Water Conservation District, stated he has been receiving calls requesting rental of the weed sprayers. He wanted to know what had happened to the program.

Mr. Josi said if Soil and Water was to be in charge of weed control it had to have the sprayers. The operation with the county was very adequate and he wanted to keep it that way. If that was not possible, he felt they should be donated to the district.

Mr. Josi said the cinebar moths are not effective every year and Canadian Thistle is an ongoing problem. Mr. Miles has not been responsive to the people who have been referred to him.

Mr. Oshel said when the Road Department rented the sprayers it was not treated in a businesslike manner. The rental services did not care for them and maintenance costs ranged from \$5,000 to \$10,000. The general feeling this spring was private enterprise should be in this business. Mr. Oshel said the county could auction the sprayers or donate them. The sprayers were not fixed this spring.

Mr. Josi said the district was never notified of the change in policy. He could not see how the county could have spent \$10,000 to repair 5 sprayers.

Mr. Oshel and Commissioners Kinkade and Creasy felt running the rental fleet should be done by private enterprise or by the weed control district. Mr. Josi said he'd take the sprayers if they are in good condition and he has made the offer before. Mr. Young asked how much it would cost to repair them and Mr. Oshel said he would have to see how much maintenance was needed.

Mr. Josi said the rental service kept them up, but he would rather have the program with the county. If they have to maintain them the charge will have to be increased a lot. Mr. Oshel said enough rent should be charged to cover maintenance costs.

Commissioner Creasy said there are five sprayers. Mr. Oshel said one was kept in north county, one in south and three in central.

Mr. Josi felt the county should maintain the sprayers as a service to the people of the county. The people pay taxes and Tillamook is a mandated weed control district.

Mr. Oshel said the county has been seen as competing with private enterprise. Mr. Josi asked why private enterprise wasn't in the business. Mr. Young said Mr. Miles had represented to the Commissioners that the problem was under control and private enterprise could handle it. When Mr. Fenk appeared before the Board he said that the district would take the matter under advisement and come back to the Board. Mr. Fenk has not gotten back so they could make a decision.

Commissioner Creasy asked how much the sprayers have been used. Mr. Pye said each sprayer was rented for \$15.00/day and were used 9 to 12 times at each location.

Mr. Pye's concern was that although tansy ragwort is under good biological control the same areas are being covered with Canada thistle which has to be mowed and sprayed. State Forestry can't use herbicides for tansy. The sprayers will be needed more in the future.

Mr. Young said it appears this may be an emergency and because Mr. Miles is not handling the business he would recommend the lease of three of the county sprayers to Soil and Water District at a minimal consideration to rent out on an emergency as needed basis for the spring period of the year. Mr. Josi said all the sprayers could be put to use right now.

Commissioner Woodward felt the county should go back to the original agreement where the County would fix the sprayers once and for all and put them out to private rentals. The businesses would charge an appropriate rate to maintain them.

Chairman Kinkade asked why Soil and Water couldn't take over the rentals. Mr. Josi said they would in turn put them out with the rental businesses. He understood the original agreement was the businesses would maintain them unless there was a major blow-up. Commissioner Woodward said they were always returned for maintenance. Mr. Josi said that would be acceptable with the stipulation that the county would store them. Mr. Oshel agreed to store them and Mr. Josi agreed to take three sprayers to start with.

Mr. Young asked if the lease should be for one year with the district being responsible for maintenance. Mr. Josi said they would be turned over to the rental service.

Mr. Oshel said he would get the sprayers into shape if the Road Department could get rid of them permanently.

There was general consensus to transfer the weed sprayers to the district and they would charge enough to cover the maintenance. Mr. Josi said they would in turn be leased to Mr. Miles. All the district wants is to have weed sprayers to get the job done.

Commissioner Woodward asked Mr. Josi to let Mr. Oshel know where to deliver the sprayers.

ITEM NO. 7: AGREEMENT WITH OREGON DEPARTMENT OF AGRICULTURE FOR COUNTY WEED CONTROL PROGRAM: Mr. Pye said this is the same type of cost-share agreement the county has had the last two years with the state for mowing, herbicides and biological control.

Commissioner Creasy made a motion to sign the agreement, Commissioner Woodward seconded, passed with three aye votes.

Mr. Young looked over the agreement and said it was for \$5,000.00.

Chairman Kinkade signed the agreement.

SITTING AS THE BOARD
OF THE HEBO SERVICE DISTRICT:

ITEM NO. 8: MISCELLANEOUS SERVICE DISTRICT MATTERS: There were no items to be discussed.

SITTING AS THE BOARD
OF THE SOLID WASTE SERVICE DISTRICT:

ITEM NO. 9: MISCELLANEOUS SERVICE DISTRICT MATTERS: Mr. Oshel said there will be a meeting the evening of July 9th with Richard Brantana who was involved in Marion County's evaluation process, to discuss how to make a selection from the proposals.

SITTING AS THE
BOARD OF COMMISSIONERS

ITEM NO. 10: MISCELLANEOUS PUBLIC WORKS: There was some discussion concerning sign posting for the Hood-to-Coast relay. Mr. Oshel will bring an order in two weeks for consideration.

Chairman Kinkade recessed the meeting at 11:27 a.m. and reconvened the meeting at 2:33 p.m. with all three Commissioners, Jon Oshel, Public Works Director; George Urrey, Road Technician; and Susan Becraft, Recording Secretary present.

GUESTS PRESENT: Guests who signed the Guest List were Kimber and Steve Kinne, Barbara Riley, Wendell Hesseltine, Marcia Gottier, Kathleen and Dan Luoto, Marge Roesener, Donna Molendyke, John Washburn, Harold and Deanna Beeler, Gloria Washburn, Patricia Fitzsimonds, Nancy Abrahamson, Renee Munly, Esther Way, Irene Spindler, Randy Gottier. Guest who signed the Speakers' List were Wendell Hesseltine, Dan Luoto, and John Washburn.

ITEM NO. 11: DISCUSSION CONCERNING MAINTENANCE OF SKYLINE DRIVE: Mr. Oshel explained in detail the types of public roads defined by ORS. Both Skyline Drive and Fernwood are defined as public roads and more specifically as local access roads because the County Commissioners never signed an order declaring them county roads. If an order had been signed the county would have accepted the road for maintenance and the liability for maintaining it. The Commissioners still have jurisdiction over local access roads and may spend money to maintain them, but they are under no legal obligation to do so.

Mr. Oshel said past policy on county roads has been to maintain the road, provide dust control and fix the road after logging is completed. This is the first time since he has been here that logs are going over a local access road.

Mr. Washburn stated in 1980 when the people came to the Board of Commissioners to find out what they needed to do to make Skyline Drive a county road they were told the first thing was the road had to have a 50 foot right-of-way in order for it to be made a

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public way. After that the county would accept it as a county road because there were a lot of people living there.

Mr. Washburn said they got the 50 foot right-of-way and the county made it a public way. Then Commissioner Williams said it would have to be paved before it could be accepted as a county road. This was the first time they heard of that requirement. If they had known that they would not have brought it to the county. The people have not been given their public way back and have not received anything for what was given to the county. The people were also told if timber was hauled out it would change the whole situation on the road. Since then 1.2 million (board feet?) was taken out of the waterworks and now they are hauling the Green Ginger timber sale which has 5.4 million board feet.

Mr. Washburn continued by saying the timber sale is valued at \$350,000 and explained how he understood the revenues are disbursed: \$128,000 to the state for management, 6.4% goes directly to the county general fund of which 10% is dedicated to road maintenance by law (according to State Forestry). If 10% is not sufficient more will be made available. \$50,000 goes to the school fund and \$150,800 is a portion to the taxing district of which \$12,000 (8%) comes back to the general fund. Mr. Washburn said this was dedicated for maintenance.

Mr. Washburn said he had talked to Commissioner Woodward who told him to talk to the logger. Mr. Washburn said the logger just bought the sale, the monies from the sale come to the county for maintenance. There are seven homes that are being severely impacted by the dust and he felt the County should maintain the road. He said there are a total of 30 homes on the road.

Mr. Luoto held up a chart showing the disbursement of the monies (no copies given to Board). He stated before the road was taken away they could have charged for usage, but when the road was made a public road there was no longer any recourse for maintenance. There is hardly any rock left on the road and this winter no one will be able to get up the hill.

Ms. Abrahamson said the school bus will not come up the road and she has to drive the kids 1 mile.

Ms. Kinney said she heard that no ambulances, fire trucks, or buses will go up the road. Where the road narrows there isn't room for a log truck and another vehicle to pass at the same time. One has to pull out onto the shoulder.

Mr. Hesselstine said he agreed with the previous speakers that it is dangerous to meet trucks, there is a tremendous dust problem, and the road is tearing up the cars. He felt something had to be done with Skyline now and something with Fernwood in the future.

Mr. Washburn said two years ago he felt the fire truck couldn't come in so he rocked the road himself and then asked the people around to help pay for it.

Ms. Munly said the road has been graded a number of times and there is no more rock. Since the logging trucks are going by it has gotten much worse. Her vehicle starts fishtailing around even in four-wheel drive.

Ms. Way said the dust problem is terrific even though the drivers go as slow as they can. Mr. Hesseltine said if you are following a truck even at 5 mph you can hardly breathe or see.

Mr. Oshel presented the Board of Commissioners with pictures showing the dust problem. Mr. Oshel said the comment that the county would take the road and then changed its mind was entirely possible. He wasn't here when it happened, but in 1982 the county road fund dried up and the department laid off 2/3 of its employees. There were a lot of policy changes made and a major one was that all maintenance be stopped on local access roads.

Ms. Beeler said she thought that was true because the county did come up and work on the road for awhile.

Mr. Oshel said his understanding of the State Forestry Law is that of the gross timber sales the allocation of the first 10% goes to the county as payment and the additional is pro-rated out. The Road Department does not get the funds. He said if the county can establish maintenance costs run over 10% it can claim more.

Commissioner Woodward said he had worked with Ms. Washburn in 1980 to get the road made a public way. Max Graves owned the property from the foot to the top of the hill. The old Stuvenga gateway went straight down the hill into a miserable corner. The county can't cross private roads so it couldn't do any work on the road so it had to be established as a public way.

Commissioner Woodward continued by saying that in 1981 the bottom dropped out of a lot of the finances and other Board members came on. But, since the road was made a public way the county can, if it becomes hazardous do maintenance. The county does not have the funds to widen and pave the road now. Originally the county did have the intention of going through the steps to make it a county road--at least to the top of the hill.

Commissioner Woodward said he talked to Mr. Graves about digging out the spring this summer and hopefully he will do it. Then somebody needs to put some base rock on the road. Commissioner Woodward said the intent of the county was the people would form a district to bring the road up to standard before it would become a county road.

Ms. Abrahamson asked how much lumber would come out and when. Mr. Oshel said their stated intention is to get it out before the rains.

Mr. Luoto said according to a paper he has, it is not necessary for a public way to be up to standard before the county can maintain it. Mr. Oshel asked to look at the document. Commissioner Woodward said the Commissioners can order work, but it has to be done by work order. The road is not in the maintenance system.

Mr. Oshel said it is not safe to pave the road where it is too narrow. The group didn't think the road is too narrow. Mr. Oshel was asked what he considered was too narrow. Mr. Oshel said the court would define anything less than 22 feet wide as too narrow because that is the county's standard. The group said the lower portion of the road is wider than that and Mr. Oshel agreed.

Mr. Oshel discussed five potential funding sources for the problem: 1) special road district which is a taxing district, 2) local improvement district, a one-shot assessment usually used to widen and pave roads, (before this was done the group could get a written agreement from the county to accept the road into the county road system), 4) county can require maintenance and dust control by the logging operation, and 5) the county could declare it a county road or order specific work be done.

Mr. Oshel said his past recommendation has been to strongly discourage major work on local access roads, because there are about 100 miles of them. He did recognize this as the only local access road on which there is logging traffic. If the Board wanted to use this as a criteria for maintenance on this particular road and not the others, it could be used, especially if the decision was made while the logging was being done.

Commissioner Creasy asked how much road needed to be paved. Mr. Oshel said 3/10th of a mile and the group said the dust abatement should be a mile. There was further discussion about dust control. Mr. Oshel said he could not recommend an oil mat and no dust abatement would hold on the hill. A dust pallet would cost roughly \$5,000.

Commissioner Creasy asked how much it would cost to pave the 3/10th mile. Mr. Washburn said he had an old quote from the county of \$30,000 and \$20,000 from S-C paving.

There was discussion about future logging and the general consensus of the group was more will be done. The group also agreed Hopkes is driving as slowly as they can.

Chairman Kinkade asked what provisions there are for the logger to maintain the road. Mr. Oshel said the logging company seems to think dust control and fixing the road back up to what it was before was fair. The group said he has not done anything up to now.

Chairman Kinkade said right now dust control is the big problem and he felt the county should work with Hampton. Mr. Oshel said that would be his recommendation and Mr. Urrey said Hopkes is willing to do the work if Hampton pays.

Several of the group said dust control was only one problem. The road needs to be rocked. Chairman Kinkade said he still felt the loggers should provide dust control and road maintenance at this time.

Mr. Luoto said all they would do is stall. Nobody was notified that they were going to use the road, they just did it. Chairman Kinkade said they did not stall the county as they have not approached the county. Mr. Urrey said Stuvenga gateway extends past the existing road quite a ways and thought the state was involved with the gateway.

Ms. Right said they wanted a commitment to have the road paved to Fernwood. Mr. Hesseltine agreed there should be some kind of commitment that once the logging project is over something will be done as the road will continue to deteriorate. Ms. Kinney suggested the county do part and the logging company do part.

Chairman Kinkade said a Local Improvement District could be formed. Mr. Luoto said that would mean the property owners would have to pay. There were comments that the people there have some of the highest taxes in the county and do not have services. A lady asked if Skyline is a county road.

Ms. Fitzsimonds said the meeting was getting into "a free for all" and she wanted a commitment from the Board of Commissioners as to what they would do and what options they were thinking about. Chairman Kinkade said the Board would not tell them that the county would pave the road.

Commissioner Creasy said he thought the county should work with Hampton on dust control and if necessary pay half or \$2,500 to solve the problem for the summer. Then a LID could be formed to pave the .310 mile.

Commissioner Woodward said he heard gasps when the quote of \$20,000 from S-C paving was compared to the county's \$30,000. He felt the road should not be paved without base rock and work on the spring. The extra \$10,000 is for a good base.

Commissioner Woodward felt the solution would be to talk to State Forestry who changed the route on trucking, then Hampton and Hopkes to get some help from them. Then the hill should be paved.

A gentleman said that would mean nothing would be done next year because of having to talk to all those people. Mr. Oshel said dust control could be taken care of fairly fast. Mr. Luoto said the road should not be paved while the logging is going on. There was general agreement by the group.

Mr. Hesselstine asked what contribution the county would make if there was a local improvement district. Mr. Oshel said in the past the local people paid, but in this case the Board could decide to put up a certain percentage if they chose after defining the criteria. In this case both the public and loggers using the road might be used as justification. Mr. Oshel said his recommendation would be that the county pick up a portion and the residents pick up a portion.

A lady asked if the county would put rock down now for the log trucks to work it in. Mr. Oshel said he would not be able to put in base rock until fall unless the Board took him off his paving operation and he would not recommend that because it is preventative maintenance on roads that run the risk of being lost unless they are paved now.

Ms. Munly asked if the loggers could put down the base rock. Mr. Oshel recommended the Board of Commissioners direct him to tell the loggers that we expect them to control the dust, put in rock, finish needed repairs, and the county would be prepared to go into the legal process. Chairman Kinkade agreed this was the way the county should start to approach the problem.

Mr. Washburn said he thought the logging company was saving about \$50,000.

The group asked what would be done after the road was put back in condition. Chairman Kinkade said an LID could be formed. Mr. Washburn said several years ago the Board of Commissioners said LID's were a big headache to everyone. Chairman Kinkade said several have been formed without problems since he has been on the Board.

Mr. Oshel said there is a legal process to form the district which would take awhile, but it would force all the people to pay.

Mr. Washburn asked to what extent the county would help with paving the hill. Chairman Kinkade said he didn't know what percentage.

Mr. Oshel said his recommendation would be to look at the road to see what it would cost if there had never been logging on it plus the additional improvements to be made if the county allowed logging, increase the county's share a little bit more by virtue that the logging is forcing the issue, and that would be how he would arrive at a recommendation to give to the Board of Commissioners.

Mr. Luoto said the Board of Commissioners has recourse with the State Forestry to get more money for maintenance. Commissioner Woodward explained the county gets a fixed amount. If the county took more it would be dipping into the school and other taxing districts' allocations and the county would have to justify everything it took. Mr. Luoto said if that was not a justifiable expense he didn't know what it would be.

A lady said she thought it was horrible that the county can't pay for a little short stretch of road. Chairman Kinkade said there are a hundred miles of short roads in the county.

Mr. Washburn asked if the county maintains God's Valley, six miles of gravel road with no houses on it. Commissioner Woodward said unfortunately it is a county road and Mr. Oshel said the county is trying to give it back. There was further discussion and Mr. Oshel said he could name 20 examples, but the Court orders make these roads a legal obligation.

Ms. Luoto asked if the county could take away the roads Mr. Washburn talked about and make their road a county road. Mr. Oshel said that it was easy to make a road a county road, but it is very difficult to take that county road status away.

Ms. Washburn said Mr. Oshel made the statement that it is very easy to make it a county and they were finding it very difficult. Mr. Oshel said the legal process is easy.

Ms. Washburn said they were within a "breath of it" in '81 and the breath that took it away was Commissioner Williams. There were two County Commissioners who finally admitted there was a problem. There are an estimated 80 cars on a daily basis, not to mention mail, garbage, etc. Commissioner Williams challenged the cost and in 1981 there were no funds.

Ms. Washburn continued by saying at this time the group felt there are sufficient dollars coming into the County Road Department and General fund to offset the cost for the county to take the first portion of the road from the Trask River Road to the corner of Fernwood Drive as a county road, maintain it and do with as they wish. The group can help and continue with the balance of the other two roads to form road districts. The group was here today to propose paving of the .310 mile and know it can be done in a "breath"--a matter of "yes" or "no." She

believed it was in the legal statutes and Mr. Oshel had said it was very easy to make it a county road.

The group clapped.

Mr. Oshel said the legal mechanism to include roads is easy, but to take them off isn't. He told the Board if this road was accepted there would be a lot of people coming in and the Road Department does not have the money.

Ms. Molendyke said to Mr. Oshel that he had given a good excuse regarding the logging on the road. Mr. Oshel said it would be a good excuse for an interim solution, on a long-term basis it would be a gray area.

A lady asked, "Who are you?" and Mr. Oshel introduced himself.

Another lady asked Mr. Oshel who would harass the county for paving Skyline Drive. Mr. Oshel said one area was Burbank Road off Brickyard Road.

Several people started talking at once. Ms. Washburn said she was sure the Board was confronted with requests like this all the time. She mentioned several roads and said the county should look at the number of homes being served. The number they have substantiates why the group feels their road should be taken into the county road system. Chairman Kinkade said it was a valid argument.

Mr. Oshel said if the Board chose to change the policy he would want to develop some criteria such as the number of residences, number of permanent residences, and amount of truck traffic.

Mr. Hesseltine said the county could give them the option of getting out of the tax district. Because they are not getting the benefits, maybe they can quit paying taxes and pay for it themselves. Mr. Oshel explained no property taxes go into the road fund. Mr. Washburn said State Forestry funds are dedicated to road maintenance. Mr. Oshel said he has never seen any of these funds. Mr. Washburn said State Forestry told him so two days previously--point blank.

Chairman Kinkade said the county could work on dust control and maintenance from the loggers, but there would be no decision on taking the road into county status at this meeting. Even if it were taken in, the road would not be paved any quicker because it should not be done before the logging is done. Mr. Oshel is to finish his current paving jobs.

Mr. Hesseltine said they would have a commitment and the group agreed. Chairman Kinkade said he could not make that commitment and several people asked why. Chairman Kinkade said there were

things he was not satisfied with and several people asked why and what they were. Chairman Kinkade said he had questions and would have to talk to Mr. Oshel.

Mr. Hesseltine asked the Board to set another meeting time. Mr. Oshel said he could go to the timber company today and should have an answer by next week. Mr. Gottier said he would go with Mr. Oshel right now.

After more discussion the date was set for July 29 at 1:30 p.m.

Commissioner Woodward asked what if Hampton was not agreeable. Mr. Oshel said he would consult with County Counsel for the best legal process. To this point the loggers have been cooperative and he has had no problem. Commissioner Woodward said that was not really what he had in mind.

Commissioner Creasy said Mr. Oshel should chat with Hampton and Hopkes and work with them. The county will not go to court or use the ORS. Mr. Oshel agreed and said if the total dust bill is \$5,000 the county should negotiate and help.

Mr. Gottier asked if the dust control would be water. Mr. Oshel said it should be more than that.

Commissioner Woodward asked Mr. Oshel to ask State Forestry how and why the route was changed. He did not want to go to court. He also directed Mr. Oshel to ask them to put in rock while hauling. Mr. Oshel agreed.

Ms. Kinney said it was a good start.

Chairman Kinkade adjourned the meeting at 3:40 p.m.

RESPECTFULLY Submitted this 16 day of July, 1987.

Susan Becraft
Susan Becraft, Recording Secretary

APPROVED BY:

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