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MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING
Wednesday, July 15, 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; Wayne Jensen, Curator; Paul Levesque, Researcher; Charles Anderson, Parks Superintendent; Jon Oshel, Public Works Director

GUESTS PRESENT: Mike Sims, Headlight Herald; Barbara Rice, Tillamook Bay Community College; Robert Wilson, T.C.I., Inc.; and Everett Prueitt

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

UNSCHEDULED: CONSIDERATION OF APPLICATION FOR BUSINESS CERTIFICATE AS A WRECKER OF MOTOR VEHICLES OR SALVAGE POOL OPERATOR FOR BESTER SALVAGE: Commissioner Creasy moved, Commissioner Woodward seconded to approve the application, passed with three aye votes.

Chairman Kinkade signed the Business Certificate Application.

UNSCHEDULED: CONSIDERATION OF CREDIT APPLICATION WITH CONTINENTAL - PORTLAND: Chairman Kinkade said the jail purchases food supplies from Continental.

Commissioner Creasy moved, Commissioner Woodward seconded to approve the credit application and agreement, passed with three aye votes.

Chairman Kinkade signed the Application for Credit and Agreement.

UNSCHEDULED: CONSIDERATION OF REQUEST BY AFSCME TO RECEIVE COPIES OF APPROVED MINUTES OF BOARD MEETINGS: Ida Lane, President of the Local AFSCME Union requested copies of the approved Board minutes to keep apprised of current events.

There was consensus to send copies of Board minutes to Ms. Lane.

UNSCHEDULED: DISCUSSION CONCERNING VOLUNTEER GROUP TO WORK ON SHRUBS IN FRONT OF COURTHOUSE: The Board felt it was a good idea, but Chairman Kinkade suggested the group bring a proposal before the Board.

Chairman Kinkade will contact Mr. Edwards.

UNSCHEDULED: CONSIDERATION OF 1987-88 DUES TO COPE: Commissioner Creasy said COPE will have a great impact on Tillamook County in the future. He reviewed his concept of the funds budgeted for dues.

Chairman Kinkade asked if other organizations were working on similar programs. Commissioner Woodward recommended not putting money into other organizations to allow enough funds for COPE.

Commissioner Creasy moved, Commissioner Woodward seconded to approve the \$3,600 for dues, passed with three aye votes.

UNSCHEDULED: CONSIDERATION OF REQUEST BY TILLAMOOK BAY CHILD CARE CENTER TO HAVE COUNTY FUND \$90 FOR PERSON TO ATTEND SEMINAR: Chairman Kinkade said the Center is requesting the county fund a person from the Day Care Board to go to a \$90 one-day seminar, possibly with funds from Economic Development. A letter from the State was also received encouraging counties to fund the person. The purpose of the seminar is to see how the child care program fits in with Economic Development in the community.

Commissioner Creasy said if funds were to come from the Economic Development fund, then perhaps Mr. Mason should attend the seminar. Ms. Kelso said the seminar is geared toward how to facilitate child care. She said Governor Goldschmidt is supportive of the counties funding the person to attend the seminar. The Center has had a lot of support from private businesses and has never once asked the county for money. She felt the county should take a positive step toward supporting the Center, as it allows working parents an excellent facility for their children.

After further discussion, Commissioner Creasy moved, Commissioner Woodward seconded to expend \$90 for the seminar, with funds from Public Relations, passed with three aye votes.

Ms. Rice suggested the person attending the seminar come and give a presentation to the Board. The Board agreed.

UNSCHEDULED: CONSIDERATION OF LINE ITEM TRANSFER FOR DATA PROCESSING: Commissioner Creasy moved, Commissioner Woodward seconded to approve the transfer from Hardware to Schools to allow Mr. Soots to attend a seminar, passed with three aye votes.

The Commissioners signed Order #87-93.

UNSCHEDULED: DISCUSSION CONCERNING RENAMING NESTUCCA SPIT: Commissioner Woodward had a call from Bob Schumacher from the Governor's Office who said the Governor is considering renaming the Nestucca Spit State Park to Bob Straub Park.

Mr. Schumacher asked the Board for their opinion. Commissioner Creasy said if Commissioner Woodward felt it was inappropriate then he should write a letter for the Board's signature.

Mr. Levesque asked if the county still had an active Local Geographic Names Board. Commissioner Woodward said, "yes." Mr. Levesque said that Board should be notified.

There was consensus to have Commissioner Woodward draft a letter.

ITEM NO. 2: CONSIDERATION OF CONTRACT FOR PRAIRIE HILL TIMBER SALE: Commissioner Creasy felt it was Park property and funds should be distributed differently, rather than all going to the general fund. The property was received through foreclosure in 1930 and in 1935 was designated as a public park, known as the Tillamook 4-H Forestry Park.

Chairman Kinkade said those revenues were considered in the 1987-88 budget. Commissioner Woodward said the Extension Service is a service district which receives a portion of the timber sale, based on their tax base.

Commissioner Creasy said the Board should follow precedent or change the classification of the land.

After further discussion, Commissioner Woodward moved, Commissioner Creasy seconded to approve the Prairie Hill Timber Sale and work out the distribution at a later date, passed with three aye votes.

The Commissioners signed three copies of the Contract.

ITEM NO. 3: CONSIDERATION OF AMENDED TAX DEED FOR MARY J. CVITANOVICH AND MARY R. JARVI FOR LOTS 1 THROUGH 5 INCLUSIVE, AND LOTS 8 THROUGH 12 INCLUSIVE, BLOCK 35, WHEELER: Mr. Levesque said the recorded deed for the contract was executed in 1980. Since that time the county adopted a policy that any further sales be made with a reservation of mineral rights to the county. The purchaser paid off the contract and the deed was executed which had a reservation for mineral rights, but the contract did not. He asked if an amended deed was necessary.

Mr. Young said if the purchaser hasn't objected, he felt an amended deed wasn't necessary.

Commissioner Woodward moved, Commissioner Creasy seconded to not do an amended tax deed unless requested by the purchaser, passed with three aye votes.

ITEM NO. 4: CONSIDERATION OF REQUEST BY EVERETT PRUEITT TO REDEEM TAX FORECLOSED PROPERTY: Mr. Levesque reviewed the ques-

tions raised by the Board at last week's meeting. The former owner of record may redeem tax foreclosed property over an extended period of time through a tax land installment contract.

According to an Attorney General's opinion the former owner of record may not redeem only that portion of the property on which the home site is established. It is necessary that all taxes, interest and liens be paid prior to reconveyance by the county to the former owner of record.

At last week's meeting Mr. Prueitt said he had \$3,000 as a down payment and the rest could be paid in monthly installments. Mr. Levesque said the \$3,000 could be allocated as follows:

\$2,463.41	- personal property lien
43.91	- fire patrol
492.68	- administrative fee
<u>\$3,000.00</u>	

This would leave \$4,917 in outstanding property taxes.

Mr. Levesque said in the event of a default of the contract, the county would regain title to the property, but the personal property lien and fire patrol would be eliminated.

Conditions of the redemption should include all taxes and liens entered subsequent to any redemption be kept current, and Mr. Prueitt is to provide proof of payment on the current property taxes by June 1 of each year. Failure to keep current taxes paid would result in default. A five-year tax land installment contract could be done at 10% interest.

Commissioner Woodward asked if there was a provision if the personal property lien was paid off and goes into delinquency again, if the county would have to go back through the foreclosure process again. Mr. Young said it would not be necessary to go through the entire foreclosure process; the county could execute on the liens themselves.

Mr. Levesque said the above costs do not include taxes for 1987.

Chairman Kinkade asked Mr. Prueitt if the terms as explained were agreeable to him. Mr. Prueitt said, "yes."

Mr. Levesque and Mr. Young will prepare a contract for next week's meeting.

ITEM NO. 5: CONSIDERATION OF CONTRACT WITH DON MASON TO DIRECT THE ECONOMIC DEVELOPMENT PROGRAM: This item was postponed.

ITEM NO. 6: DISCUSSION CONCERNING TILLAMOOK BAY COMMUNITY COLLEGE PARTICIPATING IN VETERANS SERVICE OFFICER PROGRAM: Mr. Young wrote a letter to Mr. Mason recommending the county enter into a contract with the college whereby the college will hire an individual to be the County Veterans' Service Officer. The county will then enter into a contract with the state and be a flow-through agency.

Ms. Rice spoke with Lyall Fraser, State Department of Veterans' Affairs, and was told the college could not contract directly. She agreed with Mr. Young.

She suggested in addition to the application, a cover letter be sent describing how the county would carry out the VA program.

There was consensus to have the college draft a letter for the Board's signature.

ITEM NO. 7: DISCUSSION CONCERNING COMBINATION OF TILLAMOOK COUNTY'S ALCOHOLISM PLANNING COMMITTEE AND MENTAL HEALTH ADVISORY COMMITTEE: Mr. Young said the two committees can be combined, but they must retain both titles and must have the number of members as stated in the statutes.

Commissioner Creasy moved, Commissioner Woodward seconded to combine the two committees, passed with three aye votes.

Mr. Young will prepare an order at a later date.

ITEM NO. 8: CONSIDERATION OF APPOINTMENT OF DELBERT MAYER TO THE TILLAMOOK COUNTY PIONEER MUSEUM COMMISSION: Commissioner Creasy moved, Commissioner Woodward seconded to approve the order, passed with three aye votes.

The Commissioners signed Order #87-94.

ITEM NO. 9: CONSIDERATION OF PARTICIPATION AGREEMENT WITH ASSOCIATION OF OREGON COUNTIES (AOC): Commissioner Creasy moved, Commissioner Woodward seconded to approve the agreement for Group Life, Medical and Dental Insurance, passed with three aye votes.

Chairman Kinkade signed the Agreement.

ITEM NO. 10: CONSIDERATION OF AMENDMENT #1 TO THE 1987-89 INTER-GOVERNMENTAL AGREEMENT WITH THE MENTAL HEALTH DIVISION: Mr. Wilson said the amendment is for cost-of-living increases.

Commissioner Creasy moved, Commissioner Woodward seconded to approve Amendment #1 increasing the Agreement by \$47,189, passed with three aye votes.

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The Commissioners signed two copies of a letter to the State Mental Health Division.

ITEM NO. 11: CONSIDERATION OF CONTRACT WITH NESTUCCA VALLEY SANITARY SERVICE FOR COLLECTION AT COUNTY PARKS: Commissioner Creasy moved, Commissioner Woodward seconded to approve the contract, passed with three aye votes.

The Commissioners signed the Contract.

ITEM NO. 12: CONSIDERATION OF DEPARTMENT OF THE ARMY PERMIT TO REPAIR A BOAT RAMP ON THE WILSON RIVER, MILE 4.1: Mr. Anderson said the permit is for Sollie Smith. He is applying for the permits before the grants. He will ask Fish and Wildlife and the State Marine Board to help with funding. There will be no expense to the county. The permits are good until 1990.

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

Chairman Kinkade signed the permit.

ITEM NO. 13: CONSIDERATION OF DEPARTMENT OF THE ARMY PERMIT TO REPAIR A BOAT RAMP AT THE NORTH FORK NEHALEM RIVER, MILE 4.0: Mr. Anderson said the permit is for Aldervale.

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

Chairman Kinkade signed the permit.

ITEM NO. 14: DISCUSSION CONCERNING IMPROVEMENTS TO THE ENTRANCE TO BARVIEW PARK: Mr. Anderson said last fall several groups had difficulty with Barview Park's master plan, due to the congestion of traffic at the entrance of the park by the ticket office. By moving the ticket office, the traffic can be routed to the beach away from the campers.

Mr. Anderson said Messrs. Oshel and Hannon reviewed the area and gave Mr. Anderson suggestions. Mr. Anderson contacted Ray Meyers Construction in Portland who gave an estimate of \$2,100 to do the work. Handforth and Larson gave an estimate of \$624 to do a display map of the park, suitable for public meetings. There would also be an update of the Barview Park master plan to include the improvements.

Mr. Anderson requested the Board's approval to pay \$624 for the map.

Commissioner Creasy moved, Commissioner Woodward seconded to approve the \$624, passed with three aye votes.

SITTING AS THE BOARD OF THE
HEBO SERVICE DISTRICT:

ITEM NO. 15: MISCELLANEOUS SERVICE DISTRICT MATTERS: Commissioner Woodward spoke with Roy Erickson of HGE, and they are willing to negotiate the \$4,100 bill.

Mr. Young requested permission to send bills to Balmer Logging for \$14.95 and Nestucca Valley Sanitary Service for \$13.78. Both companies incurred damages by running over water lines.

The Board authorized Mr. Young to send the bills.

SITTING AS THE BOARD OF THE
SOLID WASTE SERVICE DISTRICT:

ITEM NO. 16: CONSIDERATION OF CONTRACT WITH KEN LEAHY CONSTRUCTION FOR WORK ON THE LANDFILL: The Board approved the contracts at the June 3rd meeting.

The Commissioners signed two copies of the Contract.

ITEM NO. 17: MISCELLANEOUS SERVICE DISTRICT MATTERS: Mr. Oshel said the public meeting and hearing will be this Thursday and Friday evenings.

Mr. Oshel said John Stryffeler is struggling with his franchise. Mr. Young was hopeful that Mr. Stryffeler would be able to "catch up" with his payments.

SITTING AS THE
BOARD OF COMMISSIONERS:

ITEM NO. 18: MISCELLANEOUS PUBLIC WORKS: Request to Sign Work Order: Mr. Oshel said Netarts Water District requested Public Works cut and brush on the Crown Zellerbach 200 line up to their plant. The District will reimburse the county.

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

The Commissioners signed the Work Order.

Consideration of Contracts for 1987-1988 Fuel Purchases: Commissioner Creasy moved, Commissioner Woodward seconded to approve the contracts with Jackson & Son Oil, Inc. for lubrication and hydraulic oils, Sheldon Oil Company for gasoline bulk fuel, VanWest Oil Company, Inc. for the card lock fuel purchase and Brennan-Nelson Oil for diesel bulk fuel, passed with three aye votes.

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The Commissioners signed two copies of each contract with Jackson & Son Oil, Inc., VanWest Oil Company, and Sheldon Oil Company. Brennan-Nelson Oil has not returned their contract.

Mr. Oshel said he will give the card lock information to Judy Keller today.

Discussion Concerning Public Works Copy Machine: Mr. Oshel said his office has a Minolta copy machine that he would like to sell to the general fund for \$300. Minolta may suggest trading machines and would trade fair value for a different machine, just to get a different machine here.

Mr. Young's suggestion was as the Minolta is a low volume machine, it could be placed in Justice Court.

Commissioner Creasy moved, Commissioner Woodward seconded to approve the purchase of the copy machine for Justice Court, passed with three aye votes. Mr. Oshel is to invoice the Courthouse Building line.

Discussion Concerning Petition to Complete County Roads in Nedonna Beach: Mr. Oshel received a petition with 50 signatures. He said he is in the process of preparing a report listing subdivisions and local access roads (whether they are paved or graveled), how many residences there are, and how many permanent residents there are on the road. If the Board wants to start taking on roads, this will help them set up a system to prioritize them.

Mr. Young suggested the people form an Local Improvement District (LID). With the new regulations the people have the ability to levy their property taxes.

Mr. Oshel asked how he should respond to the petition.

Commissioner Creasy felt Mr. Oshel should write a letter thanking them for petition but informing them no funds are available. Mr. Oshel said he could do that, but wanted to be sure funds wouldn't be spent on other local access roads. He wanted to know the criteria for accepting roads in the future.

There was consensus to wait until after the meeting July 29th with the Skyline people.

Mr. Oshel said the loggers did all the work requested of them on Skyline Drive. The road is now being torn up by the cars, not the trucks. He said the road was graded Friday morning in preparation for putting the oil on Saturday morning. There was no logging on Friday, and the road was torn up by Saturday morning. The loggers had to regrade the road again Saturday.

Commissioner Woodward said the group from Skyline misunderstood the revenue allocation from the timber. The timber off Skyline is State forest timber. None of the State forest timber goes to Roads. The 10% for the county goes into the general fund.

Chairman Kinkade asked why the loggers are using Skyline Drive to bring the logs out. Mr. Oshel hasn't asked, but Commissioner Woodward said it was shorter and they don't have to pay BLM to cross their roads.

*** UNSCHEDULED: ORDERS FOR 1986-87 SUPPLEMENTARY BUDGETS AND 1987-88 BUDGETS: The Commissioners signed Orders #87-85 (HSD #4) adopting the Hebo supplemental budget, #87-86 (SWSD #22) adopting the Solid Waste supplemental budget, #87-87 adopting the County supplemental budget, #87-88 (SWSD #23) adopting the 1987-88 Solid Waste budget, and #87-89 (HSD #5) adopting the 1987-88 Hebo budget.

Chairman Kinkade recessed the meeting at 11:45 a.m. and reconvened at 1:30 p.m.

ITEM NO. 19: PUBLIC HEARING: OA-87-5(31): ORDINANCE AMENDMENT TO PERMIT A NON-PROFIT CONFERENCE CENTER IN THE CITY OF ROCKAWAY BEACH'S R-1 ZONE: Ms. Gruwell said the City of Rockaway Beach has proposed to allow a non-profit or religious group to have a conference ground or center in their R-1 zone. It will be allowed as a conditional use.

Commissioner Creasy asked if there is a specific group that has requested to build a center. Ms. Gruwell said the Seventh-day Adventist Church has property there and would like to build a conference ground in the future.

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

The Commissioners signed the Ordinance Amendment.

Chairman Kinkade adjourned the meeting at 1:35 p.m.

RESPECTFULLY Submitted this 17th day of July, 1987.

Dorene Sheldon
Dorene Sheldon, Recording Secretary

APPROVED BY:

DJK
DJK

GJC
GJC

GAW
GAW