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MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING
Wednesday, September 23, 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; Don Helwig, Fair Manager; Charlie Anderson, Parks Superintendent; Jon Oshel, Public Works Director; Greg Hannon, Assistant Public Works Director

GUESTS PRESENT: Mike Sims, Headlight Herald; Roger Williams, Oregon Culvert Company; Ken Bell, Bell's Office Machines; Tom Adams; Dave and NaOma Aeder

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

UNSCHEDULED: DISCUSSION CONCERNING INSURANCE: Chairman Kinkade said G & M advised the county that it could obtain liquor liability insurance for any activity on county property involving alcohol, at a cost of \$50 per event.

Commissioner Creasy said there was a misunderstanding when he called Ms. Killian to get information. She thought he wanted coverage for the Motocross last weekend, so she purchased the coverage.

Chairman Kinkade said it is too late to be reimbursed by the Motocross, and he said the county should pay the coverage. Mr. Helwig said in the future the Fair Board will add the additional charge to the applications where alcohol is involved.

There was consensus to pay G & M Insurance \$50 for liquor liability for the Motocross.

UNSCHEDULED: DISCUSSION CONCERNING TEMPORARY USE PERMITS: Commissioner Creasy reviewed his conversation with Jean Scott regarding the temporary use permit for the wiener wagon at the Cape Kiwanda parking lot.

Commissioner Woodward said the PC-Woods Chamber receives a permit twice a year to use the parking lot. If other vendors want to use a portion of the parking lot, they must be under the same permit. In the situation Commissioner Creasy referred to, the Chamber asked for a permit for their wiener wagon only, so the county couldn't give them exclusive rights to the entire parking lot.

There was consensus to have Commissioner Creasy work with Mr. Young and the Planning Department on a letter to Ms. Scott.

UNSCHEDULED: CONSIDERATION OF LETTER TO NYGAARD LOGGING REGARDING COMPLETION OF MILLS BRIDGE ROAD TIMBER SALE: Commissioner Woodward asked if Mr. Berry would follow up on the conditions of the letter. Chairman Kinkade said, "yes."

Commissioner Creasy moved, Commissioner Woodward seconded to approve the letter, carried with three aye votes.

The Commissioners signed the letter to Nygaard Logging.

UNSCHEDULED: DISCUSSION CONCERNING LABOR NEGOTIATIONS: Chairman Kinkade said Don Scott wrote a letter inquiring whether the county wanted his services for the upcoming negotiations with the Sheriff's Department in January. Ms. Kelso said the Sheriff felt the county should go out for proposals, and Mr. Oshel didn't care one way or the other.

Commissioner Creasy felt the county should continue with Mr. Scott, because he knows the background. Ms. Kelso requested the county get a proposal from Local Government Personnel Institute (LGPI). The county is a member and they do provide the county with a lot of information. The availability of LGPI to answer questions regarding labor issues would be intensified if they were the negotiators. Mr. Scott charges every time there is a follow up.

Commissioner Woodward said Mr. Scott has done a good job, but felt it would be wise to get proposals.

Commissioner Creasy moved, Commissioner Woodward seconded to send out requests for proposals for a labor negotiator, carried with three aye votes.

UNSCHEDULED: CONSIDERATION OF AGREEMENT WITH KEN WERNER REFORESTATION FOR SLASH BURNING OF MILLS BRIDGE TIMBER SALE: Mr. Young reviewed the agreement and said changes had to be made. It will be discussed later in the day.

ITEM NO. 2: CONSIDERATION OF CONTRACT WITH T & L SEPTIC TANK SERVICE TO CLEAN PARKS TOILET VAULT TANKS: Mr. Anderson said T & L changed the price to reflect the number of vaults. Cost will be \$1,000, which averages \$125/tank.

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

The Commissioners signed the contract.

ITEM NO. 3: PUBLIC HEARING: FIRST READING OF ORDINANCE #39 APPOINTING THE TILLAMOOK ECONOMIC ACTION COMMITTEE TO SUBMIT A REGIONAL STRATEGY ON BEHALF OF THE TILLAMOOK COUNTY COMMISSIONERS: Chairman Kinkade opened the public hearing and asked if there was any testimony.

Commissioner Woodward did not like the wording of the ordinance. He said the Committee could prepare the strategy, but should not have the responsibility of presenting the strategy to the Oregon Tourism Alliance. Mr. Young said the state statute says it is to be a delegation, but the Board could delegate the responsibility, with certain restraints.

There was no public testimony.

The Board agreed to read the Ordinance by title only, and Chairman Kinkade read it.

The Board directed Mr. Young to revise the Ordinance to have the Economic Action Committee prepare the strategy to submit to the Commissioners.

ITEM NO. 4A: BID OPENING: INTERIOR REMODELING OF COURTHOUSE PHASE I: No bids were submitted.

ITEM NO. 4B: BID OPENING: 1987-88 CULVERT PURCHASE FOR ROAD DEPARTMENT: Mr. Oshel said each year the county purchases culvert, and most of it is resold to the public as a public service. There is no supplier in the county that provides this service.

Chairman Kinkade opened the four bids.

<u>SUPPLIER</u>	<u>COST</u>
1. Oregon Culvert Co., Inc.	\$17,771.00
2. Contech Construction Products	18,252.90
3. Kaiser Aluminum	17,661.00**
4. Advanced Drainage Systems, Inc.	not a complete bid

Mr. Williams said Oregon Culvert is an Oregon company and Kaiser Aluminum is a Washington company. He requested the county give preferential consideration to Oregon Culvert, as it is an in-state manufacturer.

Mr. Oshel said the law which states preferential consideration can be given to a company if the other state provides preferential treatment doesn't become effective until September 27, 1987. However, he didn't think Washington was giving preferential treatment to local contractors. As it was a competitive bid, he felt the preferential treatment concept should have been included in the proposal. Mr. Young agreed.

Mr. Oshel said Mr. Hannon would review the bids.

The Board directed Mr. Young to research the possibility of preferential consideration for future reference.

**Actual total was \$17,896.

ITEM NO. 5: BID OPENING: COPIER MACHINES: Chairman Kinkade opened the bids as follows:

<u>SUPPLIER</u>	<u>COST</u>
1. Bell's Office Machines Adler-Royal Model 210C	\$1,095/each; .018/copy
2. Advanced Office Technology, Inc. Sharp SF-7100	\$ 850/each; no cost/copy
3. Commercial Office Machines Mita DC-111C	\$1,195/each; no cost/copy

Mr. Young will review the proposals and report later in the meeting.

SITTING AS THE BOARD
OF THE HEBO SERVICE DISTRICT:

ITEM NO. 6: MISCELLANEOUS SERVICE DISTRICT MATTERS: Hogie Jo's: Mr. Adams said Hogie Jo's had to have Roto-Rooter come again, and he submitted the bills to the Board. Chairman Kinkade spoke to Ed Crane of HGE, and Mr. Crane was to speak with their engineer to review the situation.

Commissioner Creasy asked if Mr. Adams had a cost estimate of the project. Mr. Adams said, "no." Mr. Adams told Mike to get it fixed, regardless of who pays for it. Commissioner Woodward told Mr. Adams to take pictures of the problem areas.

New Lines: Mr. Adams said the property where the new lines would be installed belongs to Mr. Nobel. Commissioner Woodward said the county would have to ask for an easement.

Mr. Adams said the current low-pressure type hose was installed in 1962. He estimated it would cost \$5,000 to install new lines. Chairman Kinkade said the pipe could be purchased cheaper through a wholesaler than a local store.

Commissioner Creasy said a workshop should be scheduled to discuss these matters.

Chairman Kinkade asked how the project could be funded. Mr. Young said there could be: 1) a rate increase for the users; 2) a contribution by the general fund; or 3) a loan from the general fund. Chairman Kinkade was opposed to a contribution by the general fund.

Mr. Adams recommended the order establishing rates be revised. He felt a trailer home should be charged the full rate rather than 3/4, and a fee be established for disconnects and re-hookups.

Chairman Kinkade said the Board should meet with the Hebo Advisory Committee. Mr. Adams said only two of the five members would attend. Chairman Kinkade said a community meeting should be held then. Mr. Adams suggested notices of the meeting be enclosed with the billing statements.

SITTING AS THE BOARD OF THE
SOLID WASTE SERVICE DISTRICT:

ITEM NO. 7: MISCELLANEOUS SERVICE DISTRICT MATTERS: Mr. Oshel said a change order had to be done for the landfill contract regarding the leachate program.

Commissioner Creasy moved, Commissioner Woodward seconded to approve Change Order #2 with Ken Leahy Construction, carried with three aye votes.

The change order was signed later in the day.

SITTING AS THE
BOARD OF COMMISSIONERS:

ITEM NO. 8: DISCUSSION CONCERNING TREES ON TAX LOT 1N10 34 DD 6700 IN BAY CITY: Mr. Aeder said he asked the Board to cut the trees before the property was sold to Port Kendall, but no action was taken. He wrote to Port Kendall, and was told he could cut the trees at his expense. The logger wasn't interested in the project when Port Kendall said the ground would have to be cleaned up, as it is mostly swamp.

After further discussion, Mr. Young said the City of Bay City's nuisance ordinance should be able to handle the situation.

There was consensus to have Mr. Young draft a letter to the City of Bay City encouraging them to take action on the trees, as the county will be cutting the tree on its property.

ITEM NO. 9: MISCELLANEOUS PUBLIC WORKS: Supplemental Agreement with Department of Transportation Highway Division for Kilchis River Bridge: Mr. Oshel said the agreement allows the use of Federal Aid Secondary funds for the approach work on the bridge.

Commissioner Creasy moved, Commissioner Woodward seconded to approve the agreement, carried with three aye votes.

The Commissioners signed four copies of the agreement.

Paint Striping: Mr. Oshel said the Board may receive complaints on paint striping, as Federal specifications require the striping to be twice as heavy. In the future he will be striping in the spring and fall, rather than twice in the fall.

Weber Road: Mr. Oshel said Weber Road bridge was closed by Cavenham Forest Products. Helen Blaser, a resident on the road, feels it is a public road; but according to the Surveyor's records, it is a private road. Mr. Oshel told Ms. Blaser if she could find documents stating otherwise, to bring them to Mr. Duncan. As long as Mr. Duncan feels it is a private road, he said the county shouldn't make strong statements saying it will repair the bridge.

Kiger Road: Chairman Kinkade received a request to have paving done on Kiger Road. Mr. Oshel said he had many high speed roads he would recommend be done first.

Oil Seal Concept: Commissioner Creasy asked if the concept was a success. Mr. Oshel said it isn't an overlay program and doesn't repair problems, but 90-95% of the roads were just brittle. The oil seal coat freshens the pavement, and will hold off major repairs from three to ten years.

Crane: Chairman Kinkade asked Mr. Oshel if the crane is ever in south county, and Mr. Oshel said, "occasionally." Chairman Kinkade asked him to move the shed for the Hebo Service District, when the crane is available.

Chairman Kinkade recessed the meeting at 11:45 a.m. and reconvened at 1:25 p.m. in the Commissioners' Conference Room, with all three Commissioners present. Staff present were: Kathy Kelso, Personnel Director; Karen Richards, Treasurer; Judy Wagner, Tax Collector; Fred Young, County Counsel; and Dorene Sheldon, Recording Secretary. Ken Bell, Bell's Office Machines, was also present.

ITEM NO. 3: ORDINANCE #39 (CONTINUED): Mr. Young revised the Ordinance, and the Board had no other revisions.

The second reading will be October 7, 1987.

ITEM NO. 5: BID FOR COPIER MACHINES (CONTINUED): Mr. Young said he and Mr. Oshel reviewed the bids, and recommended awarding the bid to Bell's Office Machine. Cost of operation would be approximately \$200/year cheaper.

Commissioner Creasy moved, Commissioner Woodward seconded to award the bid to Bell's Office Machines for two Adler-Royal 210C copiers, carried with three aye votes. They will be placed in the Assessor's Office and Office of Community Development. The machines will be purchased by the general fund, and will be available for use by other departments in case of emergency.

UNSCHEDULED: DISCUSSION CONCERNING 9-1-1 DISTRICT: Mr. Young asked if the Board wanted him to do an order forming a district. Chairman Kinkade said that would be the only way 9-1-1 would be funded in the future. Commissioner Woodward opposed the idea, as the Commissioners would not be the Board of Directors. The district would also be eligible for timber revenue.

Ms. Kelso asked if personnel would be laid off and rehired by the district. Mr. Young said, "yes." Ms. Kelso said then the Sheriff may have to reinstitute the dispatch system.

Mr. Young said if the Board doesn't do an order, the 9-1-1 User Board can request, by petition, to create a district and go through the hearings process. Commissioner Woodward liked that concept better.

There was consensus for Mr. Young to do more research on the subject.

UNSCHEDULED: DISCUSSION CONCERNING JACK CREEK WATER DISTRICT: Mr. Young said Old Trapper is seriously talking about taking over the system, and using the existing well. Mr. LaRiviere is working with the State Health Division. Old Trapper wants the county to do the delinquent billings and resolve the matter with the Krakes, and then turn the system over to Old Trapper.

The Board authorized Mr. Young to work with Old Trapper and their attorneys.

Chairman Kinkade recessed the meeting at 1:50 p.m. and reconvened at 2:25 p.m.

UNSCHEDULED: DISCUSSION CONCERNING COMPUTER FOR PERSONNEL DEPARTMENT: Chairman Kinkade said Emergency Management needs the B25 back to implement some state programs, and the Sheriff's Department will also use it. Ms. Kelso said Clackamas County has offered their warrant system programs free of charge.

Commissioner Creasy moved, Commissioner Woodward seconded to approve the purchase of a B25 computer for the Personnel Department, carried with three aye votes.

UNSCHEDULED: DISCUSSION CONCERNING AUCTION: Ms. Kelso said two old typewriters have been in the ladies restroom for at least

three years, and she asked if they were to be sold at the auction.

The Board didn't know they were there, and there was consensus to sell them at the auction.

UNSCHEDULED: DISCUSSION CONCERNING REMODELING IN TAX DEPARTMENT:
Ms. Wagner asked what the procedure would be, as no bids were submitted. Chairman Kinkade said he would contact more contractors.

UNSCHEDULED: DISCUSSION CONCERNING LABELING FIXED ASSETS INVENTORY: Ms. Wagner said the labels arrived and Ms. Wiesinger would be available next week to work on the project. Ms. Kelso suggested she send a letter to the department heads and elected officials telling them when Mss. Wiesinger and Worthey would be available to work with them on the project.

There was consensus to have Ms. Kelso do the letter.

UNSCHEDULED: DISCUSSION CONCERNING TAXES ON NUNNERY: Commissioner Woodward asked Mr. Young to research whether NOHA is required to pay taxes on the nunnery, as they are a tax-exempt corporation. Mr. Young will do the research.

UNSCHEDULED: CONSIDERATION OF AGREEMENT WITH KEN WERNER REFORESTATION FOR SLASH BURNING PORTION OF MILLS BRIDGE TIMBER SALE:
Mr. Young revised the agreement, and Chairman Kinkade read it.

Commissioner Creasy moved, Commissioner Woodward seconded to approve the agreement, carried with three aye votes.

The agreement was signed later in the day.

Chairman Kinkade adjourned the meeting at 2:40 p.m.

RESPECTFULLY Submitted this 25th day of September, 1987.

Dorene Sheldon
Dorene Sheldon, Recording Secretary

APPROVED BY:

DJK
DJK

GJC
GJC

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