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MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING  
Tuesday, November 24, 1987  
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COMMISSIONERS PRESENT: Dean J. Kinkade, Chairman  
Gerald J. Creasy, Vice-Chairman  
Gerald A. Woodward, Commissioner

STAFF PRESENT: Neal Lemery, Acting County Counsel  
Karen Richards, Treasurer  
Dorene Sheldon, Recording Secretary

STAFF PRESENT FOR PORTIONS OF MEETING: Judy Keller, Bookkeeper;  
Kathy Kelso, Personnel Director; Paul Levesque, Researcher; Duane  
Edwards, Cartographer; John Williams, Extension Agent; Jim  
Stanford, Data Processing Director; Jo Veltri, Clerk; Sue  
Cameron, Health Administrator; Judy Wagner, Tax Collector and Don  
Mason, Economic Development Director

GUESTS PRESENT: Lyle Specht, Fair Board; Rod Miller, Advanced  
Office Technology; Joel George, T.C.I. Board; Dick Gammon and Roy  
Mason, Tillamook Bay Community College; Vickie Whitehead, Juve-  
nile Services Commission; Shirley Thomas; and Harold Johnston,  
Mental Health Advisory Committee

ITEM NO. 1: CALL TO ORDER: By Chairman Kinkade at 10:00 a.m. in  
the Commissioners' Conference Room.

UNSCHEDULED: CONSIDERATION OF ORDER APPOINTING GERALD J. CREASY  
AS THE BOARD OF COUNTY COMMISSIONERS' REPRESENTATIVE FOR THE  
TILLAMOOK BAY PROJECT: Commissioner Woodward moved, Commissioner  
Creasy seconded to approve the order, carried with three aye  
votes.

The Commissioners signed Order #87-136.

UNSCHEDULED: CONSIDERATION OF LETTER RELEASING BOND FOR NYGAARD  
ON THE MILLS BRIDGE TIMBER SALE: Commissioner Creasy moved,  
Commissioner Woodward seconded to approve the letter, carried  
with three aye votes.

The Commissioners signed the letter.

ITEM NO. 2: DISCUSSION CONCERNING SERVICE MAINTENANCE OF SHARP  
PHOTOCOPIERS: Mr. Miller said the county has two types of agree-  
ments with Advanced Office Technology (AOT) - individual service  
agreements and copy kit agreements. He recommended the county  
purchase a blanket copy kit agreement to cover all machines  
serviced by AOT.

Commissioner Creasy asked if the county should go out for bids.  
Mr. Miller said AOT is trained to service the machines currently  
used by the county. An inventory should be done to see if there  
are additional machines that should be serviced.

Commissioner Creasy asked how much was spent on servicing this year. Ms. Richards said operating costs were \$8,650.

Commissioner Woodward asked if the machine in the copy center needed maintenance. Mr. Miller said it would be checked, but would also be under the blanket agreement.

Commissioner Creasy moved, Commissioner Woodward seconded to approve a blanket copy kit agreement with AOT from 12-1-87 to 12-31-88, carried with three aye votes.

Mr. Miller said he would send the contract next week.

ITEM NO. 3: EXECUTION OF ORDER RESCINDING RESOLUTION/ORDER #87-130 REGARDING LOG EXPORTS: The order was approved at a previous Board meeting.

Commissioners Kinkade and Woodward signed Order # 87-148.

ITEM NO. 4: CONSIDERATION OF APPOINTMENT TO THE TILLAMOOK COUNTY FAIR BOARD: Chairman Kinkade said the item had to be postponed, as the closing date was the next day. There was consensus to conduct interviews Monday, November 30.

ITEM NO. 5: DISCUSSION CONCERNING PROPOSED LANDSCAPING OF THE COURTHOUSE: Mr. Edwards reviewed his proposal which involved cutting the cedars between the north and south steps to ground level. They would be replaced with junipers and marigolds. The pine tree at the northeast corner would be removed. The shrubs around the war memorial would be cut to ground level and replaced with dwarf rhododendrons.

Mr. Edwards said a volunteer work day is scheduled for December 5. Estimated cost for the plants is \$100. P.U.D. will chip the limbs and shrubs on December 7 at no cost.

Commissioner Creasy moved, Commissioner Woodward seconded to have Mr. Edwards proceed with the project, carried with three aye votes.

ITEM NO. 6: CONSIDERATION OF RESOLUTION/ORDER UNDERTAKING APPLICATION FOR CHANGES IN TILLAMOOK ENTERPRISE ZONE BOUNDARIES: Mr. Mason said the City of Bay City and the Creamery requested inclusion in the Enterprise Zone.

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

The Commissioners signed Resolution/Order #87-149.

ITEM NO. 7: CONSIDERATION OF REQUEST FOR RENEWAL OF LEASE AGREEMENT WITH FEYEREISENS FOR COUNTY PROPERTY: Mr. Levesque said the request for renewal of the lease had been received. There are currently \$806 in ad valorem taxes, and another \$1,000 in taxes will accrue in the next five years.

Mr. Levesque wrote an in-depth report on the history of the trailer at the airbase. He gave a brief overview of that report.

Mr. Levesque suggested the Board require the Feyereisens show proof of insurance coverage for the five year period. Failure to do so would be a breach of the lease, and the Board could deny the renewal request. If Feyereisens show proof, the Board may be forced to renew the lease.

Mr. Levesque said if the lease had to be renewed, three options were available. The lease could be renewed, but a reasonable rental amount could be charged. Feyereisens are currently paying \$40/month. Mr. Levesque said average rates in Tillamook are \$85-140. He suggested charging \$80/month which would include a \$10 value increase and \$30 for past and future taxes.

Mr. Levesque said another option would be to increase the monthly lease payments to \$50 and make a lease amendment for Feyereisens to pay the taxes directly.

Mr. Levesque said the last option would be to persuade Feyereisens to go back to a revocable permit, and increase the monthly fee to \$45. By doing so, future taxes would be eliminated, because a revocable permit is not taxable.

After further discussion, there was consensus for Mrrs. Lemery and Levesque to write a letter to Feyereisens requesting proof of insurance coverage before the lease would be renewed.

ITEM NO. 8: CONSIDERATION OF ORDER ACCEPTING QUITCLAIM DEED FROM TIMES-MIRROR AND EXECUTING QUITCLAIM DEED TO TIMES-MIRROR ON PROPERTY BOUNDARY IN GARIBALDI AND ORDERING RECORDING OF BOTH DEEDS: Commissioner Creasy moved, Commissioner Woodward seconded to approve the order, carried with three aye votes.

The Commissioners signed Order #87-150.

ITEM NO. 9: DISCUSSION CONCERNING PROPOSED GUIDE TO TILLAMOOK COUNTY GOVERNMENT: Ms. Kelso said Mr. Stanford and Ms. Worthey changed the format to fit the county's copy machine, which reduced costs.

The Commissioners made a few suggestions to add to the guide.

Commissioner Creasy moved, Commissioner Woodward seconded to print 100 copies of the guide, carried with three aye votes.

ITEM NO. 10: DISCUSSION CONCERNING LABOR RELATIONS CONSULTING SERVICES: Chairman Kinkade said he met Mr. Snyder from the Local Government Personnel Institute (L.G.P.I.) at the AOC Convention and was impressed with him. Chairman Kinkade recommended the county choose L.G.P.I.

Commissioner Woodward said he never had problems with Don Scott, but had no quarrel in changing to L.G.P.I. because the county is a member. Commissioner Creasy felt Mr. Scott had done a good job in the past.

After further discussion, Commissioner Creasy moved, Commissioner Woodward seconded to hire L.G.P.I. for labor relations services, carried with three aye votes. The agreement will begin December 1, 1987 and expire June 30, 1988.

The Commissioners signed the agreement.

Ms. Richards said no funds were allocated to the negotiations line, so she will transfer \$4,000.

ITEM NO. 11: DISCUSSION CONCERNING VETERAN'S SERVICE OFFICER CONTRACT: Mr. Lemery said this is an intergovernmental agreement with Tillamook Bay Community College for them to operate the program. The county would serve as a flow-through agency. The county legally has to appoint the officer.

Commissioner Creasy moved, Commissioner Woodward seconded to approve the contract, carried with three aye votes. Chairman Kinkade will serve as the liaison.

The Commissioners signed the contract.

ITEM NO. 12: DISCUSSION CONCERNING DOG ORDINANCE: After discussion, Commissioner Creasy moved, Commissioner Woodward seconded to have Mr. Lemery prepare an order revising the fees, carried with three aye votes.

ITEM NO. 13: DISCUSSION CONCERNING PUBLIC LAND PRESERVATION FUND FEES AND OTHER COUNTY CLERK RELATED FEES: Mr. Lemery said the legislature changed the public land preservation fund fee and other fees. He said Ms. Veltri would like a \$1 administrative fee included.

After discussion, there was consensus for Mr. Lemery to begin the ordinance process with suggested fees as follows: \$5 for recording, \$5 for PLCP, and \$1 for administrative costs.

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ITEM NO. 14: CONSIDERATION OF STUDENT RETENTION INITIATIVE:

Chairman Kinkade said it was a needed project, but he had some concerns. He wanted T.C.I. to subcontract with the State Alcohol and Drug so the "B" and "C" funds would go directly to T.C.I., rather than being channeled through the county. Mr. Gammon saw no problem with that.

Commissioner Creasy moved, Commissioner Woodward seconded to approve the S.R.I. grant application, carried with three aye votes. The Board directed Mr. Gammon to draft a letter for the Board's signature stating "B" and "C" funds would go to T.C.I.

The Commissioners signed the letter on Monday, November 30, 1987.

SITTING AS THE BOARD OF  
THE HEBO SERVICE DISTRICT:

ITEM NO. 15: DISCUSSION CONCERNING PAST DUE WATER BILLS: The Board reviewed the accounts with Ms. Wagner. Some residents are making an effort, and others are not.

Chairman Kinkade said Mr. Bruce's bill needs to be negotiated.

Commissioner Woodward asked about the status of Rothenbergers. Ms. Wagner said she would have to do a spreadsheet that will take about a week. There are three possibilities on the hook-ups. Someone told Ms. Berry that Rothenbergers had "X" amount of hook-ups. Rothenbergers and the Assessor said they had a different number. Mr. Gardner felt the Assessor had the correct number.

After further discussion, the Board agreed a small claims suit should be filed against Mr. Sullivan. The Board felt letters should be sent to the residents informing them if fees weren't brought current within three months, the water would be turned off.

Mr. Lemery said he and Ms. Wagner will work on the shut-offs for Thompsons and Allans, and work on the others.

ITEM NO. 16: MISCELLANEOUS SERVICE DISTRICT MATTERS: Ms. Richards said the new lease agreement with U.S. Bank should arrive that afternoon.

Chairman Kinkade recessed the meeting at 12:05 p.m. and reconvened at 1:30 p.m. with all three Commissioners; Lynda Willard, Senior Planner; Jon Oshel, Public Works Director; Dave Krebs, Shop Foreman; Ida Lane, Public Works Secretary; Ed Brunson, Coastal Planner; and Dorene Sheldon, Recording Secretary present.

R. E. Thurmond, Helen Blaser, Ted Simms and Janette Simms signed the Guest List.

SITTING AS THE  
BOARD OF COMMISSIONERS:

ITEM NO. 17: PUBLIC HEARING: ORDINANCE AMENDMENT OA-87-5(25):  
AN AMENDMENT TO THE WHEELER URBAN GROWTH BOUNDARY ORDINANCE, NO.  
25, WHICH WOULD REVISE THE CITY OF WHEELER'S ZONING ORDINANCE,  
FLOOD HAZARD OVERLAY ZONE TO BRING IT INTO COMPLIANCE WITH FEDER-  
AL REGULATIONS; AND DECLARING AN EMERGENCY: Ms. Willard said the amendment will revise Wheeler's Ordinance to include new flood hazard ordinance regulations, which will bring Wheeler into compliance with federal regulations.

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

The Commissioners signed OA-87-5(25).

SITTING AS THE BOARD OF THE  
SOLID WASTE SERVICE DISTRICT:

ITEM NO. 18: MISCELLANEOUS SERVICE DISTRICT MATTERS: Commissioner Woodward said he spoke with Bill Weber and Bob Bunn, who said they wouldn't talk about taking Tillamook County's trash before Tillamook County cleared it with the Benton County Commissioners. Commissioner Woodward then spoke to Dale Schrock, Benton County Commissioner, and was told Tillamook just needed to write a request to their Board.

SITTING AS THE  
BOARD OF COMMISSIONERS:

ITEM NO. 19: DISCUSSION CONCERNING STORM DRAINAGE ON MAXWELL  
MOUNTAIN DRIVE: Mr. Thurmond reviewed the problems he had with the State Parks Department on getting a permit. He said he would like to put a catch line on Maxwell Mountain, bend it around the curve, and come down Maxwell Mountain Road to join some stream that will go to the shore. He would like the county to furnish the material, and he will do the work. However, he would like a backhoe operator for three days.

Mr. Oshel agreed the Parks Department will not allow a pipe over the hill. A storm drain pipe could be run down Maxwell Mountain Road through the wayside entrance road down to the beach. He didn't feel it would be difficult to get the necessary permits.

Mr. Oshel said material costs would be \$17,000 and total project costs would be about \$50,000. It would be easy to supply the material, but difficult to put a back-hoe operator there. He would rather have a clear line of authority, with Mr. Thurmond handling all labor.

Mr. Oshel said the Board should be aware that if it approves this capital improvement project, other requests will come before the Board.

Commissioner Creasy asked for Mr. Oshel's recommendation. Mr. Oshel recommended not doing anything. His philosophy is if a road is functioning, as is, and a new development causes an additional cost, the cost should go on the development. Mr. Thurmond said it isn't all his water. Mr. Oshel agreed the project would serve more than just Mr. Thurmond's property.

Commissioner Woodward asked if Maxwell Mountain was a county road. Mr. Oshel said, "yes."

Mr. Oshel said a 50/50 split would involve the county paying material costs for catch basins, culverts, and patching material all the way down the hill. In addition, the county would bear all costs to get the water running across his land to the system after his project is completed.

Mr. Thurmond agreed to Mr. Oshel's conditions. He asked if he could begin construction before the drainage facility is completed. Mr. Oshel said there would have to be some form of development agreement.

Mr. Simms, owner of the property below Mr. Thurmond, said the Planning Commission told Mr. Thurmond the drainage had to be dealt with before permits would be issued. Mr. Thurmond disagreed. Mr. Oshel will check the permit.

Commissioner Creasy moved, Commissioner Woodward seconded to approve the 50/50 split, carried with three aye votes.

ITEM NO. 20: MISCELLANEOUS PUBLIC WORKS: Weber Road: Mr. Oshel said he received a letter from Cavenham requesting the same proposal as C. Ray Johnson. He asked if he should respond.

Ms. Blaser submitted a letter signed by all the property owners requesting a public hearing be scheduled to determine the status of Weber Road. She submitted a list of the property owners.

Mr. Oshel recommended a report be done, similar to the South Prairie--Netarts Highway report, and then schedule a public hearing. Ms. Blaser requested the report include all the road to Beaver Creek.

There was consensus to have the research done and then schedule a public hearing.

Communications Technician Position: Mr. Oshel said he needed something formal from the Board directing people to place orders through Dave Krebs for work to be done. Ms. Kelso said she had drafted a letter.

Ms. Kelso said Ed Weston's contract requires a 30-day termination notice.

Mr. Oshel said Mr. McKie will start as a county employee December 14th, and the equipment will be moved that day.

Tierra Del Mar Property: Mr. Oshel said he offered \$3,000/acre, and the property owners made a counter proposal of \$6,000/acre which would total \$21,600. Mr. Oshel budgeted \$20,000, and would like to make the offer. The property would be purchased to take care of guardrail hanging in the air over the ocean.

There was consensus for Mr. Oshel to make the offer.

Warren and McCoy Streets in Bay City: Mr. Oshel said he asked Handforth and Larson to make a proposal of engineering and drainage designs for all of Warren and McCoy that is north and east of Highway 101. They are a county roads. He would like to construct it with an agreement that the City of Bay City would take it over after construction has been completed. Handforth and Larson's proposed cost was \$3,360.

There was consensus to have Handforth and Larson do the designs.

UNSCHEDULED: CONSIDERATION OF ORDER ADOPTING PROPOSED 1987 AMENDMENTS TO ORDINANCE #34 RELATING TO THE PUBLIC LAND CORNER PRESERVATION FUND, AND COUNTY CLERK FEES: Mr. Lemery said the order sets the public hearing for December 16. He will send letters and copies of the proposed ordinance to the local attorneys and title companies.

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

The Commissioners signed Order #87-151.

UNSCHEDULED: DISCUSSION CONCERNING MOTOR VEHICLE POLICY: Ms. Kelso said employees asked her when the first aid kits, fire extinguishers and other equipment would be installed in the cars. The Board told her to check with Lt. Dye. Ms. Kelso said Lt. Dye doesn't feel that he had been delegated to do the job.

After further discussion, Commissioner Creasy moved, Commissioner Woodward seconded to delegate Lt. Dye as the liaison for the auto policy, carried with three aye votes.



Ms. Kelso will draft a letter for the Board's signature.

Chairman Kinkade recessed the meeting at 2:40 p.m. and reconvened at 4:15 p.m. with all three Commissioners and Vic Affolter, Community Development Director present.

Mr. Affolter gave a brief update on the meeting he attended with DSL, Fish and Wildlife, and the Governor's Office regarding Botts Marsh. He met with Ms. Achterman at the site on November 20 to review the situation and to come up with some possible alternatives to Mr. Scovell's plan. Ms. Achterman felt another meeting with the previous group was in order, but no date had been set.

RESPECTFULLY Submitted this 4<sup>th</sup> day of December, 1987.

Dorene Sheldon  
Dorene Sheldon, Recording Secretary

APPROVED BY:

DJK  
DJK

GJC  
GJC

GAW  
GAW