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COMMISSIONERS PRESENT: Dean J. Kinkade, Chairman
Gerald J. Creasy, Vice-Chairman

COMMISSIONER PRESENT FOR PORTION OF MEETING: Gerald A. Woodward

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

STAFF PRESENT FOR PORTIONS OF MEETING: Kathy Kelso, Personnel Director; Jim Stanford, Data Processing Director; Lt. Tom Dye, Emergency Management; Jon Oshel, Public Works Director

GUESTS PRESENT: Mike Sims, Headlight Herald; Harold Johnston; Dale Buck, Farm Bureau; Diane Waldron; Aleesa Camara; Sharon Hightower, T.C.I.; and Helen Myers

ITEM NO. 1: CALL TO ORDER: By Chairman Kinkade at 10:07 a.m. in the Justice Courtroom.

UNSCHEDULED: CONSIDERATION OF ORDER APPOINTING C. WENDELL HESSELTINE TO THE TILLAMOOK COUNTY JUVENILE SERVICES COMMISSION: Commissioner Creasy moved, Chairman Kinkade seconded to approve the order, carried with two aye votes.

The Commissioners signed Order #87-176.

UNSCHEDULED: DISCUSSION CONCERNING JACK CREEK WATER DISTRICT: Mr. Lemery asked if the Board wanted to continue the process of dissolving the District. Chairman Kinkade said the residents are working hard to reorganize the District.

After further discussion, there was consensus to cancel the public hearing scheduled for January 13, 1988 at 10:15 a.m.

UNSCHEDULED: DISCUSSION CONCERNING SMOKING POLICY: Ms. Kelso said she felt the county was being negligent in not doing anything regarding a policy. She asked how the Board would like a policy written.

Chairman Kinkade was concerned about enforcement. Ms. Kelso felt the non-smokers would enforce the policy.

After further discussion, Commissioner Creasy moved, Chairman Kinkade seconded to restrict smoking in the Courthouse, except for designated areas including the employees' lunch room, the Circuit Court south foyer, the 2nd floor hallway by Justice Court to the Sheriff's Office, and the jail; the jurisdictions of the judges would also be excluded, carried with two aye votes.

Ms. Kelso will prepare the policy for the Board's review.

ITEM NO. 3: CONSIDERATION OR ORDER DESIGNATING LIAISON RESPONSIBILITIES FOR 1988: Commissioner Creasy moved, Chairman Kinkade seconded to approve the order.

Ms. Kelso suggested in the future the Commissioners alternate departments, so they can get an understanding of each of the departments. The Board agreed that was a good concept.

The motion carried with three aye votes.

The Commissioners signed Order #87-177.

ITEM NO. 5: DISCUSSION CONCERNING ELECTRICAL PROBLEM IN PERSONNEL OFFICE: Mr. Stanford said the computers don't work property when plugged into some of the outlets. He would like an electrician to work on it. Chairman Kinkade felt the office had too much on the circuit.

There was consensus to have an electrician come in to do the repair work.

ITEM NO. 6: DISCUSSION CONCERNING SAIF RETRO PLAN EVALUATION FOR 1984-85: Ms. Kelso said there are four evaluation periods for the retro plan, and the county has had two. If the county opted to close out, it would cost \$53,029.20. She recommended the county not close out at this time, as funds are not available.

Commissioner Creasy asked if the county would have to pay it eventually. Ms. Kelso said, "yes."

Commissioner Creasy asked if the amount would decrease if the county waited. Ms. Kelso said, "no, but funds could be budgeted."

After discussion, Commissioner Creasy moved, Chairman Kinkade seconded to request the Retrospective Rating Plan remain open, carried with two aye votes.

Chairman Kinkade signed the Election for Workers' Compensation Insurance Cash Flow Plan Agreement.

ITEM NO. 7: CONSIDERATION OF ORDER APPOINTING FIVE MEMBERS TO THE FOOD SERVICE ADVISORY COMMITTEE: Commissioner Creasy moved, Chairman Kinkade seconded to approve the order appointing Renee Munly, Stan Eckley, Myrt Williams, Joyce Heusser, and Jane Ard to the Committee, carried with two aye votes.

The Commissioners signed Order #87-178.

ITEM NO. 8: DISCUSSION CONCERNING TAXES FOR INDUSTRIAL PARK TRAILER: Mr. Lemery said Mr. Levesque drafted the letter listing three options available to the Feyeireisens.

The Commissioners signed the letter.

Chairman Kinkade recessed the meeting at 10:32 a.m. and reconvened at 10:50 a.m.

ITEM NO. 2: DECISION CONCERNING APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS FOR 1988:

Commissioner Woodward moved, Chairman Kinkade seconded to appoint Commissioner Creasy as Chairman for 1988, carried with three aye votes.

Commissioner Creasy moved, Chairman Kinkade seconded to appoint Commissioner Woodward as Vice Chairman for 1988, carried with three aye votes.

ITEM NO. 4: PUBLIC HEARING: FOR PASSAGE OF ORDINANCE #40: THE ABATEMENT OF A PUBLIC HEALTH HAZARD CREATED BY THE STORAGE, USE OR HANDLING OF HAZARDOUS CHEMICALS IN DWELLINGS, BUILDINGS, STRUCTURES, OR PREMISES, AND DECLARING AN EMERGENCY:

Commissioner Woodward felt the definition of hazardous chemicals was too broad and the portion including toxic substances should be deleted. Commissioner Creasy agreed. Ms. Kelso said it would have to be researched, because some of the wording is required by OSHA. Mr. Lemery said that portion could be deleted and the Ordinance passed as amended. If necessary, it can be changed after the research is done.

Mr. Buck represented the Farm Bureau, and said there are over 43,500 hazardous chemicals used by farmers. The Farm Bureau is against drugs, but legally used chemicals by the farmers are necessary.

After further discussion, Commissioner Creasy moved, Commissioner Woodward seconded to approve Ordinance #40, with the deletion of the toxic substances definition under Section 3A, carried with three aye votes.

The Commissioners signed Ordinance #40 as amended.

Ms. Kelso and Mr. Lemery will research the definitions required by OSHA.

ITEM NO. 9: CONSIDERATION OF ORDER APPOINTING FIVE MEMBERS TO THE BOARD OF APPEALS FOR ABATEMENT OF DANGEROUS BUILDINGS:

Commissioner Creasy moved, Commissioner Woodward seconded to approve the order appointing Art Bogard, Jack F. Smith, Jack V. Trusty, Tom Weber, Jr., and George Widmer to the Board, carried with three aye votes.

The Commissioners signed Order #87-179.

ITEM NO. 10: CONSIDERATION OF AMENDMENT #6 TO THE 1987-89 INTERGOVERNMENTAL AGREEMENT #29-001 WITH THE MENTAL HEALTH DIVISION: Ms. Hightower had concerns because of the large responsibility it places on the county. She felt it important to not make a decision until the new TCI Director was able to review it. Ms. Hightower said in the past TCI has done the implementation plan; this amendment requires the county do it. The amendment would also require the county be involved in monitoring activities of all the charts.

Commissioner Creasy asked if Ms. Hightower felt this was a prelude to the state wanting the county to take back the mental health program. Ms. Hightower said, "it could."

ITEM NO. 11: CONSIDERATION OF ORDER ESTABLISHING A COUNTY ILLICIT DRUG LABORATORY RESPONSE TEAM: Mr. Lemery said he revised the order to address the concerns raised a few weeks ago. The order hadn't been circulated to all the agencies involved.

After discussion, there was consensus to have the order reviewed by the agencies involved and bring it back before the Board at a later date.

ITEM NO. 12: CONSIDERATION OF ORDINANCE ON HAZARDOUS CHEMICALS: This was discussed under #4 on the agenda.

ITEM NO. 13: CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT WITH DON MASON TO PERFORM SERVICES AS DIRECTOR OF ECONOMIC DEVELOPMENT: Commissioner Creasy moved, Commissioner Woodward seconded to approve the agreement which extends the contract to June 30, 1988, carried with three aye votes.

The Commissioners signed the agreement.

ITEM NO. 14: DISCUSSION CONCERNING GRANT APPLICATION FOR DRUG ENFORCEMENT OFFICER: Mr. Lemery said the Sheriff is the only agency in the county applying for the tri-county grant. There is \$100,000 in federal funds dedicated to the District 7 counties. Lincoln County would be the lead agency, and Tillamook County would get a full-time investigator. Mr. Lemery asked the Board's permission for the Sheriff's Department to proceed in applying for the grant.

Lt. Watters said the county's \$7,000 payback will not be required until June 1989. He felt the county's response to this grant will show the state agencies it is serious about fighting drugs.

Mr. Lemery said the county could apply for the grant, and if it didn't like it, the county could give 30 days notice and be out.

Commissioner Creasy felt there should be support from the cities of Garibaldi, Rockaway Beach and Tillamook.

After further discussion, Commissioner Creasy moved, Commissioner Woodward seconded to support the Sheriff's Department applying for the grant, contingent upon financial support from the cities, carried with three aye votes.

Mr. Lemery will work with Lt. Watters on getting financial support from the cities.

ITEM NO. 15: DISCUSSION CONCERNING COUNTY INVOLVEMENT IN BINGO LICENSING: Mr. Lemery said the state would do the licensing if the county doesn't want to get involved.

There was consensus for the county not to get involved in bingo licensing.

ITEM NO. 16: UPDATE ON COUNTY COUNSEL HIRING DECISION: Mr. Lemery said he is waiting for an Attorney General's opinion on whether a Justice of the Peace can also be County Counsel.

Ms. Kelso felt a decision should be made for at least the remainder of the budget year.

There was discussion on the option of hiring a deputy district attorney for the remainder of the budget year. Ms. Kelso asked if the Board opted to hire a deputy district attorney, would the money compensated to Mr. Lemery go towards paying for that position and he wouldn't be compensated for the County Counsel work. Mr. Lemery said that would be possible.

Chairman Kinkade said it was important to stay within the amount budgeted for County Counsel. Mr. Lemery said realistically hiring a deputy district attorney would be the most expensive.

Ms. Kelso cautioned the Board against hiring Judge Nordlander before receiving the Attorney General's opinion.

There was consensus to wait for the Attorney General's opinion before making a decision.

SITTING AS THE BOARD OF
THE HEBO SERVICE DISTRICT:

ITEM NO. 17: MISCELLANEOUS SERVICE DISTRICT MATTERS: There was no discussion.

SITTING AS THE BOARD OF THE
SOLID WASTE SERVICE DISTRICT:

ITEM NO. 18: MISCELLANEOUS SERVICE DISTRICT MATTERS: Ms. Myers said she objected to paying the service charge when she has very little garbage. She asked how the county felt about Riedel's proposal. Mr. Oshel said the county liked Riedel's proposal, but at the present time it is too expensive.

SITTING AS THE
BOARD OF COMMISSIONERS:

ITEM NO. 19: MISCELLANEOUS PUBLIC WORKS: Mr. Oshel requested the Board sign a work order to install replacement culvert south of the South County Shop on Oregon Department of Fish and Wildlife property. Fish and Wildlife will pay for the work.

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

The Commissioners signed the work order.

Chairman Kinkade adjourned the meeting at 11:55 a.m.

RESPECTFULLY Submitted this 5th day of January, 1988.

Dorene Sheldon
Dorene Sheldon, Recording Secretary

APPROVED BY:

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DJK

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