

MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING

Wednesday, October 13, 1999

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[Filed with County Clerk 11-4-99]

COMMISSIONERS PRESENT:

Tim Josi, Vice Chairperson
Gina Firman, Commissioner

COMMISSIONER ABSENT:

Sue Cameron, Chair
(Geo Data Organization Initiative-Denver, CO)

STAFF PRESENT:

William K. Sargent, County Counsel
Paul Levesque, Management Analyst

STAFF PRESENT FOR PORTIONS OF MEETING: Twila Neimi, Assessment & Taxation Office Manager; Tom Manning, Emergency Management Director; and Tom Dye, Sheriff;

GUESTS: David Leibbrandt & John Harshman, McGuire Reservoir

CALL TO ORDER: By Vice-Chair Josi at 9:00 a.m. in the Justice Courtroom.

ITEM NO. 1: PUBLIC INPUT: None.

ITEM NO. 2: CONSENT CALENDAR:

Change Order #12 to Agreement with HBE, Inc., for Tillamook County General Hospital Remodeling Project;

Settlement Statement & Joint Instructions for Friedland Transaction;

Modification #2 of Agreement with S. Chris McIssac for Child Custody Evaluations;

Board of Commissioners' Meeting Minutes for August 16, 18 & September 15, 1999;

Order Transferring Funds Between Budgeted Line Items for the Tillamook County

Fair;

Contract with CXT, Inc., for Construction of Trask River Toilets;

Renewal of Agreement with Oregon State Police, Criminal Justice Services, for Local

Law Enforcement Block Grant for Parole & Probation: Commissioner Firman moved to approve the consent calendar, Commissioner Josi seconded, passed with two aye votes.

The items were signed later in the day.

ITEM NO. 1: CONTINUED: TWILA NEIMI-EMPLOYEE OF THE MONTH FOR OCTOBER: Commissioner Firman read the press release and the Board congratulated Ms. Neimi on the award.

ITEM NO. 3: CONSIDERATION OF RESOLUTION IN SUPPORT OF THE OLDER AMERICAN ACT: Commissioner Firman read the resolution and moved that the Board sign it, Vice-Chair Josi seconded, passed with two aye votes.

The Board signed Resolution #R-99-27 supporting the Older American Act.

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ITEM NO. 4: CONSIDERATION OF AGREEMENT IN PRINCIPLE AS TO MCMINNVILLE WATER & LIGHT PROPOSED MCGUIRE RESERVOIR EXPANSION, DAM SAFETY & EMERGENCY PREPAREDNESS MEASURES:

Mr. Manning distributed a packet and introduced John Harshman and David Liebrandt. He summarized the agreement in principle concerning design, dam failure analysis and emergency alert and warning. A task force would be formed to develop the Emergency Action Plan. Mr. Manning said the management had been good to work with. Mr. Harshman said they would be working to meet the County's needs. He referred to his letter asking that the Emergency Action Plan and Dam Failure Analysis be deferred until (or unless) they got a permit for the project from the Corps of Engineers.

Commissioner Firman went on record again about having grave philosophical reservations about the building of this dam, as with other dams. She said she had no problem with delaying the dam failure study until they received their permits to build.

Commissioner Firman moved that the Board agree in concept to the two page letter signed by John Harshman dated September 30, 1999, Vice-Chair Josi seconded.

Vice-Chair Josi reiterated Commissioner Firman's remarks stating that if there was any way to stop the project, the Board would do so. He discussed the dangers of the Cascadia Subduction Zone. Commissioner Firman asked that they look at the project as if their families lived below the dam.

The motion passed with two aye votes.

UNSCHEDULED: CORPS OF ENGINEERS FOR ADVANCED MEASURES AGREEMENT: Counsel Sargent discussed the contract for the U.S. Army Corps of Engineers' advanced measures, stating he had signed it. The Board said they would cover this under non-agenda items later in the meeting.

ITEM NO. 5: DISCUSSION CONCERNING CHARGING FOR PARKING VIOLATIONS AT BOAT LAUNCHES: Commissioner Firman said the item was suppose to be scheduled with Ms. Haron and Judge Gahagan of the Justice Court present to discuss it. Fishermen at Memaloose boat launch who bought tickets but failed to display them. The Board discussed the problems with the current system. The matter would be rescheduled when Chair Cameron, Parks Department personnel and Ms. Haron and Judge Gahagan could participate in the discussion.

ITEM NO. 6: MISCELLANEOUS PUBLIC WORKS: None.

ITEM NO. 7: MISCELLANEOUS SOLID WASTE SERVICE DISTRICT MATTERS: None.

ITEM NO. 8: NON AGENDA ITEMS & BOARD CONCERNS: Advanced Measures Agreement with the Corps of Engineers: Counsel Sargent said the Advanced Measures Contract

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was ready for the Board to sign. Commissioner Firman moved that the Board sign the agreement, Vice-Chair Josi seconded, passed with two aye votes.

The Board signed the agreement Advanced Measures Agreement with the Corps of Engineers.

Mr. Manning thanked the Board for their efforts on the emergency projects and updated the Board on the Advanced Measures Projects stating that bids went out on October 12 and were due on October 15. Work would start the following Monday. They would be completed by mid November. He described the fund raising for the ring levy. He also talked about the 101 bypass ditch cleaning. Mr. Rosenberg would be proceeding with the project using his own funds. Vice-Chair Josi said Mr. Manning was doing a very good job. Commissioner Firman thanked Mr. Manning for the communication.

Noise Problems in Unincorporated Areas: Commissioner Firman discussed noise problems in unincorporated areas stating that there was empirical evidence that noise ordinances were an effective deterrent. She wanted a workshop during a Monday staff meeting to discuss a possible ordinance. Counsel Sargent would get copies of Multnomah and Marion Counties ordinances and draft a proposed ordinance.

Discussion Regarding Fair Board Appointment: Commissioner Firman met with the Fair Board who asked that the Commissioners appoint a new Fair Board member. The Fair Board had conducted its own solicitation process and recommended that Douglas Doyle be appointed to take Diana Staben's place. They asked for the customary letters to Doug Henson and Darlene Rees. Commissioner Firman asked that the Board act on it and that staff be directed to prepare the appropriate order for signature later that day.

Commissioner Firman moved that the Board sign an order appointing Douglas Doyle to the Fair Board, Vice-Chair Josi seconded, passed with two aye votes.

The Board signed Order #99-113 later that day appointing Douglas Doyle to the Fair Board.

Vice-Chair Josi said he felt the Fair Board was a working board and that the Commissioners should not second guess the Fair Board's choice. The Board discussed the need for the Health Department to work closer with the Fair Board. Commissioner Firman would talk with Chair Cameron as liaison to the Health Department and request they work more closely with the Fair Board in the future.

Fairview Water District Discussion: Counsel Sargent updated the Board on the Fairview Water District/Fair Board dispute. Mr. Campbell, as attorney for Fairview, said the Fair Board would have to sue the water district as they were not willing to waive the fees for water usage even though the well is located on the fairground property. The Board discussed the issues around litigation and the possibility of getting a legal opinion from an outside counsel. The board authorized Counsel Sargent to get the opinion.

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Proposed Boot Ordinance: Mr. Levesque updated the Board on the proposed boot ordinance.

Vice-Chair Josi Update: Vice-Chair Josi discussed the upcoming DOGAMI meeting at which they would be discussing the possibility of setting up a coastal office. Mr. Affolter was preparing talking points.

Commissioner Josi reported on the prior days Economic Development meeting and the feasibility study matching funds. He said the County was in trouble going into the meeting but conducted a full- court press at the meeting. He said it appeared favorable, subject to the Attorney General's approval. A grant/loan package would be crafted. The first workshop was scheduled for October 19 at 10:30 a.m. at the Courthouse with Bill Campbell, County staff and the Board of Commissioners. The amount was \$840,000. Half would come from the Legislative Emergency Board, the other half would be a loan of approximately \$16,000 per year for 30 years. The second meeting was scheduled for October 28 at 10:00 a.m. with Oregon Economic Development Department. There would be a 60 day waiting period after the application was filed.

Commissioner Josi adjourned the meeting at 10:30 a.m.

RESPECTFULLY submitted this ____ Day of _____, 199__ .

County Clerk: Josephine Veltri

Cornelia V. Glenn, Recording Secretary
& Special Deputy

APPROVED BY:

Chairperson

Vice Chairperson

Commissioner