

MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING
Wednesday, January 7, 2004
Page 1

FILED
SN
JAN 23 2004
1:00 PM
TASSI O'NEIL
COUNTY CLERK

1 **COMMISSIONERS PRESENT:** Paul A. Hanneman, Chairperson
2 Charles J. Hurliman, Vice Chairperson
3 Tim Josi, Commissioner
4

5 **STAFF PRESENT:** William K. Sargent, County Counsel
6 Paul Levesque, Management Analyst
7

8 **STAFF PRESENT FOR PORTIONS OF MEETING:** Aaron Suko, Public Works Director; Pat
9 Oakes, Engineering Project Supervisor; John Robinson, Health Department Administrator; Craig
10 Schwinck, Human Resources & Information Services Director; Dan Krein, Juvenile Department
11 Director; Nancy Steiner, Building Official; Sara Charlton, Library Director
12

13 **GUESTS:** Bev Lutz, State Court Administrator; Pam Zielinski; Gus Meyer
14

15 **CALL TO ORDER:** By Chair Hanneman at 9:05 a.m. in the Commissioners' Meeting Room.
16

17 **ITEM NO. 1: WELCOME & REQUEST TO SIGN GUEST LIST:** The Chair welcomed
18 everyone to the meeting.
19

20 **ITEM NO. 2: PUBLIC COMMENTS - NON-AGENDA ITEMS:** There was none.
21

22 **ITEM NO. 3: CONSIDERATION OF RESOLUTION PROCLAIMING THE MONTH OF**
23 **JANUARY, 2004 AS "SCHOOL BOARD RECOGNITION MONTH" IN TILLAMOOK**
24 **COUNTY:** Mr. Levesque said this was an annual event and done throughout the state.
25 Commissioner Josi read portions of the resolution and commented on the value of school boards.
26

27 Commissioner Josi moved to sign the resolution, Commissioner Hanneman seconded, passed with
28 three aye votes.
29

30 The Commissioners signed Resolution #R-04-1.
31

32 **ITEM NO. 4: CONSENT CALENDAR:**
33 **Order Appointing Chair & Vice Chair of the Board of Commissioners for 2004:**
34 Commissioner Hurliman moved to approve the item, Commissioner Josi seconded.
35

36 Commissioner Josi said this was done each year, and it was Commissioner Hanneman's turn again.
37 Commissioner Hurliman said it was a learning process.
38

39 Motion passed with three aye votes.
40

41 The Commissioners signed Order #04-1.
42

43 **ITEM NO. 5: CONSIDERATION OF RESOLUTION REGARDING TILLAMOOK**

MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING

Wednesday, January 7, 2004

Page 2

1 **COUNTY MEMBERSHIP IN THE CITY-COUNTY INSURANCE SERVICES TRUST:** Mr.
2 Schwinck said this was an annual appointment of the Trust as the County's representative to Blue
3 Cross/Blue Shield.

4
5 Commissioner Josi moved to approve the resolution, Commissioner Hurliman seconded, passed with
6 three aye votes.

7
8 The Commissioners signed Resolution #R-04-2.

9
10 **ITEM NO. 6: CONSIDERATION OF AMENDMENT #2 TO INTERGOVERNMENTAL**
11 **AGREEMENT WITH OREGON JUDICIAL DEPARTMENT FOR MEDIATION**
12 **SERVICES:** Ms. Lutz said this amended the Intergovernmental Agreement for domestic relations
13 cases. It was being done pursuant to SB 904, which dissolved the Dispute Resolution Commission
14 and adopted standards for mediators set by the Chief Justice.

15
16 Commissioner Josi said it was good to have Ms. Lutz back at the State Court office.

17
18 Commissioner Hurliman moved to authorize the Chair to sign the amendment, Commissioner Josi
19 seconded, passed with three aye votes.

20
21 [The Chair signed the amendment later in the day.]

22
23 **ITEM NO. 7: CONSIDERATION OF SECOND AMENDMENT TO INTERGOVERN-**
24 **MENTAL AGREEMENT WITH OREGON YOUTH AUTHORITY TO EXTEND THE**
25 **DURATION OF THE CONTRACT AND CHANGE THE AMOUNT:** Commissioner Josi said
26 there were two changes: the date and a slight increase in the amount.

27
28 Commissioner Josi moved to authorize the Chair to sign, Commissioner Hurliman seconded

29
30 Commissioner Hanneman reported on Mr. Krein's meeting with the Board on Monday.

31
32 Motion passed with three aye votes.

33
34 [The Chair signed the amendment later in the day.]

35
36 **ITEM NO. 8: EXECUTION OF AP-AP-CH-02-17: AN APPEAL OF THE PLANNING**
37 **COMMISSION'S DECISION TO UPHOLD THE PLANNING DIRECTOR'S DECISION TO**
38 **APPROVE, WITH CONDITIONS A DUNE HAZARD REPORT REVIEW FOR A SINGLE**
39 **FAMILY DWELLING. THE SUBJECT PARCEL IS LOCATED ON NETARTS ROAD**
40 **AND IS DESIGNATED AS TAX LOT 800 OF SECTION 5BC IN TOWNSHIP 2 SOUTH,**
41 **RANGE 10 WEST OF THE WILLAMETTE MERIDIAN, TILLAMOOK COUNTY,**
42 **OREGON. APPELLANTS ARE RAY & THERESE L'HOMMEDIEU; PROPERTY OWNER**
43 **AND APPLICANT IS MICHAEL CHAM;** Chair Hanneman read the caption. Mr. Campbell said

MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING

Wednesday, January 7, 2004

Page 3

1 this was an appeal of an administrative review. It was heard by the Planning Commissioner the
2 previous spring and was then continued at the request of the applicant. It was approved by the
3 Planing Commission in September and then appealed. The Board heard the appeal in December and
4 this was the order to be signed, pursuant to the Board's decision in that appeal.

5
6 Mr. Campbell described a slight foot note modification of the order to reflect the type of foundation
7 for the structure.

8
9 Commissioner Hurliman moved to sign the order, Commissioner Josi seconded, passed with three
10 aye votes.

11
12 [The order was signed later in the day.]

13
14 **ITEM NO. 9: CONSIDERATION OF ORDER VACATING A PORTION OF UNNAMED**
15 **RIGHT-OF-WAY IN THE AVALON PLAT IN THE COMMUNITY OF OCEANSIDE:** Mr.
16 Oakes displayed two maps on the board. He said the petition was signed by 100% of the affected
17 property owners, which he listed for the Board. He described the petitioned strip and distributed
18 copies of an aerial photo to each Commissioner.

19
20 Mr. Oakes described the physical characteristics, including steep slopes. There were utilities present
21 and easements were provided for water. However, the proposed order set out the ability of sewer to
22 maintain its line.

23
24 Mr. Oakes discussed likely outcomes relative to adjoining water districts if two tax lots were
25 combined. The Oceanside Community Club had no concerns.

26
27 Mr. Campbell said it would be a special district boundary issue only if the property owner elects to
28 combine tax lots.

29
30 Ms. Zielinski said the adjacent owners had no objections. Mr. Oakes said the Assessor's office
31 would determine vesting of title.

32
33 Commissioner Josi moved to sign the order, Commissioner Hurliman seconded, passed with three
34 aye votes.

35
36 [Order #04-2 was signed later in the day.]

37
38 **ITEM NO. 10: CONSIDERATION OF AMENDMENT #3 TO DEPARTMENT OF HUMAN**
39 **SERVICES, 2003-2004 LOCAL PUBLIC HEALTH AUTHORITY FINANCIAL**
40 **ASSISTANCE CONTRACT #106234:** After some discussion, the item was continued for Mr.
41 Robinson's review.

42
43 **ITEM NO. 11: CONSIDERATION OF DEPARTMENT OF HUMAN SERVICES**

MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING

Wednesday, January 7, 2004

Page 4

1 **CONTRACT #107700 FOR PURCHASE OF SERVICES BY LOCAL PUBLIC HEALTH**
2 **AUTHORITY TO AUTHORIZE DISBURSEMENT OF FUNDS MADE AVAILABLE FOR**
3 **PUBLIC HEALTH PURPOSES:** Mr. Robinson described the Sanitarian functions performed
4 under the contract. The contract had been approved as to form.
5

6 Commissioner Hurliman moved to authorize the Chair to sign the contract, Commissioner Josi
7 seconded, passed with three aye votes.
8

9 [The Chair signed the contract later in the day.]
10

11 Chair Hanneman gave Mr. Robinson documents relating to parking.
12

13 **ITEM NO. 12: CONSIDERATION OF INTERGOVERNMENTAL AGREEMENT WITH**
14 **CITY OF ROCKAWAY BEACH FOR BUILDING SERVICES:** Mr. Campbell said this was
15 the same form of agreements signed with other cities, except for Manzanita, where building
16 inspection services were provided. The City signed on December 10.
17

18 Commissioner Josi moved to sign the agreement, Commissioner Hurliman seconded, passed with
19 three aye votes.
20

21 [The agreement was signed later in the day.]
22

23 **ITEM NO. 13: CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT WITH**
24 **RICHARD P. TURI, ARCHITECT, FOR FINAL DESIGN, BID DOCUMENTS AND**
25 **CONSTRUCTION ADMINISTRATION FOR NEW MAIN LIBRARY BUILDING:** Ms.
26 Charlton stated that, pursuant to an RFP in 1998, the design was awarded to Mr. Turi. Mr. Levesque
27 described the changes from the original draft contract and the additional role Mr. Turi would now
28 perform during construction.
29

30 Commissioner Josi moved to authorize the Chair to sign, Commissioner Hurliman seconded, passed
31 with three aye votes.
32

33 [The Chair signed the agreement later in the day.]
34

35 **ITEM NO. 14: CONSIDERATION OF RESOLUTION IN THE MATTER OF DISSOLVING**
36 **THE NORTH COAST SENIOR SERVICES:** Mr. Levesque described the dissolution plan and
37 process, leading to the need for the action taken by the resolution. Commissioner Hurliman spoke
38 about using the Mid-Valley Behavioral Care Network as the model for governance of the new
39 organization. He was much in favor of this and thanked Mr. Levesque for his work.
40

41 Commissioner Hurliman moved to sign the resolution, Commissioner Josi seconded, passed with
42 three aye votes.
43

MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING
Wednesday, January 7, 2004
Page 5

1 [Resolution #R-04-3 was signed later in the day.]

2
3 Commissioner Hurliman read the upcoming meeting notices.

4
5 The Chair recessed the meeting at 9:57 a.m. and reconvened at 10:15 a.m. At 10:16 a.m. the Chair
6 recessed the meeting and convened an Executive Session, pursuant to ORS 192.660(1)(f) & (h)
7 regarding exempt records and litigation.

8
9 At 11:50 a.m. the Chair adjourned the Executive Session and reconvened the regular meeting.

10
11 **ITEM NO. 15: BOARD CONCERNS - NON-AGENDA ITEMS: Outcome of the Executive**
12 **Session:** Counsel Sargent said the Headlight Herald had made public request for Mr. Greenwood's
13 termination letter. Both Counsel Sargent and the County's labor law attorney agreed it should be
14 released with certain names and HIPPA information being redacted.

15
16 Commissioner Hurliman moved to release the information, Commissioner Josi seconded, passed
17 with three aye votes.

18
19 **ITEM NO. 16: PUBLIC COMMENTS:** There were none.

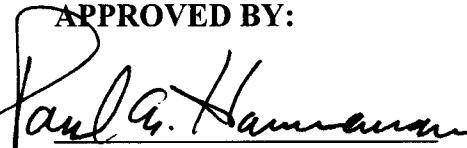
20
21 The Chair adjourned the meeting at 11:52 a.m.

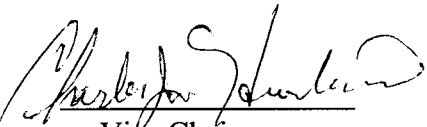
22
23 **RESPECTFULLY** submitted this 21 day of Jan, 2003.

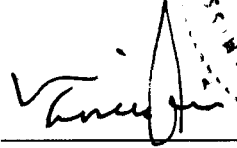
24
25 County Clerk: Tassi O'Neil

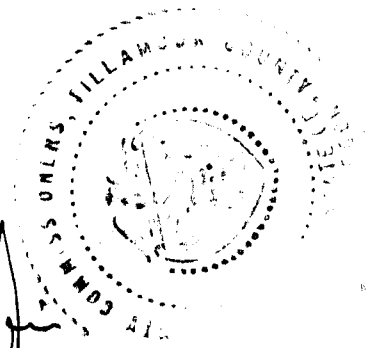
26
27 
28 _____
29 Mary Wujcik, Recording Secretary
30 & Special Deputy

31
32 **APPROVED BY:**

33
34 
35 _____
36 Chairperson

37
38 





**BOARD OF COMMISSIONERS'
MEETING**

Wednesday, January 7, 2004

PLEASE PRINT

Name

Address

Item of Interest

Gus Meyer On Record General

AKON SUFO PW #9

PAM ZIELINSKI 5450 SOUTH AV W SUNSET
VACATION APPL.

Bev Lutz Circuit Court #6

(Please use reverse if necessary)

CALL TO ORDER: Wednesday, January 7, 2004

Paul L.

BOARD OF COMMISSIONERS -

1. 9:00 a.m. Welcome & Request to Sign Guest List
2. Public Comment - Non-Agenda Items
3. Consideration of Resolution Proclaiming the Month of January, 2004 as "School Board Recognition Month" in Tillamook County *#R04-1*

CONSENT CALENDAR

4. Order Appointing Chair & Vice Chair of the Board of Commissioners' for 2004 *#04-1*

LEGISLATIVE ADMINISTRATIVE

5. Consideration of Resolution Regarding Tillamook County Membership in the City-County Insurance Services Trust/Craig Schwinck *#R04-2*
6. Consideration of Amendment #2 to Intergovernmental Agreement Oregon Judicial Department for Mediation Services/Bev Lutz *Chair Segns*
7. Consideration of Second Amendment to Intergovernmental Agreement with Oregon Youth Authority to Extend the Duration of the Contract and Change the Amount/Dan Krein *Chair Segns*
8. Execution of AP-AP-GH-02-17: An Appeal of the Planning Commission's Decision to Uphold the Planning Director's Decision to Approve, with Conditions, A Dune Hazard Report Review for A Single Family Dwelling. The Subject Parcel is Located on Netarts Road and Is Designated As Tax Lot 800 of Section 5BC in Township 2 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon. Appellants are Ray & Therese L'Hommedieu; Property Owner and Applicant is Michael Cham/Lisa Phipps *Bill Segns*
9. Consideration of Order Vacating a Portion of Unnamed Right-of-Way in the Avalon Plat in the Community of Oceanside/Pat Oakes *#04-2*
10. Consideration of Amendment #3 to Department of Human Services, 2003-2004 Local Public Health Authority Financial Assistance Contract #106234/John Robinson *Chair Segns*
11. Consideration of Department of Human Services Contract #107700 for Purchase of Services by Local Public Health Authority to Authorize Disbursement of Funds Made Available for Public Health Purposes/John Robinson *Chair Segns*
12. Consideration of Intergovernmental Agreement with City of Rockaway Beach for Building Services/Nancy Steiner *Bill Segns*
13. Consideration of Professional Services Agreement with Richard P. Turi, Architect, for Final Design, Bid Documents and Construction Administration, for New Main Library Building/Paul Levesque & Sara Charlton *Chair Segns*
14. Consideration of Resolution in the Matter of Dissolving the North Coast Senior Services/ Paul Levesque *#R04-3*

15. Board Concerns - Non-Agenda Items

16. Public Comments

ADJOURNMENT

On **Wednesday, January 14, 2004** the Commissioners' will be holding their weekly meeting at **6:30 p.m.** in the Library of the Nestucca High School, 34660 Parkway Drive in Cloverdale.

The Tillamook County Courthouse will be closed on **Monday, January 19, 2004**, in observance of Martin Luther King, Jr.'s Birthday. The State Circuit Courts will also be closed.



December 29, 2003

JAN 2004
RECEIVED
Tillamook County
Board of
Commissioners

Mr. Paul Levesque
Tillamook County Courthouse
201 Laurel Avenue
Tillamook, OR 97141

RE: New Library Project

#9824

Dear Paul:

Pursuant to our telephone discussion, I am willing to modify my fee proposal as follows. My original fee proposal totaled \$378,000 and included bi-monthly job-site visits. The County has asked me to attend weekly meetings during construction, which will amount to about (30) additional visits. I had originally calculated the additional costs to be \$14,400. I am willing to accept half of this amount, or \$7,200, thus my revised contract sum will be \$385,200.

Enclosed are two copies of the "revised" page no. 1-11 from the original AIA agreement form. Please replace the original pages no. 1-11 with these revised pages.

I'll await my copy of a fully executed Agreement.

Sincerely,

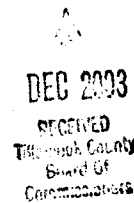
Richard P. Turi
Principal Architect

Enclosure



December 15, 2003

Paul Levesque
Tillamook County Courthouse
201 Laurel Avenue
Tillamook, OR 97141



RE: New Library Project

#9824

Dear Paul:

Accompanying this letter are two (2) original copies of the Owner-Architect Agreement for this project. The following modifications have been made per our discussion:

Page 1-3: Owner's designated representative to be listed as "not designated at this time".

Page 1-11: Article 1.5 Compensation
Fixed fee is increased by \$14,400 to a revised total of \$392,400.00. Increased fee due to weekly site visits. Originally I had planned 30 site visits (15 months, twice a month). One site visit accounts for 8 hours (plus) of my time. Thus, 8 hours @ \$60/Hour = \$480 @ 30 additional visits = \$14,400.

I am not adding any costs to check prevailing wage rate compliance.

Page 1-12: Sara Charlton's name deleted from signature line ... County to print name of signee.

Page 2-10: Article 2.8.1 Schedule Of Services
Original schedule "should" have listed 30 visits under Paragraph .2 ... has now been increased to 60 to accommodate weekly meetings.

Page 2-12: Article 2.9 Modifications
Here I note that I will attend weekly job-site meetings and review contractor's wage certification forms for compliance with required hourly wages.

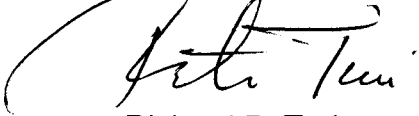
Sara Charlton's name deleted from signature line ... County to hand print signee.

Paul Levesque
Page Two
December 15, 2003

I hope these revisions meet with your satisfaction. Please have both copies of the Agreement signed by the County (two locations each Agreement). Keep one copy for your records, and return the other copy to my office.

I look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard P. Turi". The signature is written in a cursive style with a large, sweeping initial "R".

Richard P. Turi
Principal Architect

Enclosures