



MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING

Wednesday, April 7, 2004

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COMMISSIONERS PRESENT:

Paul A. Hanneman, Chairperson
Charles J. Hurliman, Vice Chairperson
Tim Josi, Commissioner

FILED
1:50 pm
MAY 21 2004
JHW

STAFF PRESENT:

William K. Sargent, County Counsel
Mary Wujcik, Board Assistant

TASSI O'NEIL
COUNTY CLERK

STAFF PRESENT FOR PORTIONS OF MEETING: Aaron Suko, Public Works Director; Bill Campbell, Community Development Director

GUESTS: Ken O'Toole, Headlight Herald; Dick Blum; Jerry Ripka; Judy Ripka; Donna Lane; Skyler Veek; Rick Petersen; Gus Meyer

CALL TO ORDER: By Chair Hanneman at 9:05 a.m.

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

ITEM NO. 2: PUBLIC COMMENTS - NON-AGENDA ITEMS: Mr. Blum and Mr. Ripka were present to discuss the condition of the Trask River Road. Mr. Ripka said he was not against log trucks; he listed his experience working with OSHA and other agencies. He said the road was not safe; it was not wide enough, there were no shoulders, etc. Something needed to be done. He thought there were some solutions. There were State statutes that would allow the County to enter into contracts with log haulers, with the permission of ODF, to get funds for road work.

Mr. Blum wanted to expedite getting work done. He thought the Forest Development Fund could be used to fix the road. He said the existing logging contracts could be reworked to get some of the money immediately. The logging companies were excellent road builders and could work with the County. He warned about possible law suits over the condition of the road if there was an accident.

Commissioner Hurliman asked for the ORS numbers. Mr. Ripka cited ORS 376.305 and 390. Commissioner Hurliman said he was hoping to hear from ODF on this matter. He said Counsel Sargent thought the County had some teeth.

Counsel Sargent said he had initially thought it could be done, but he had looked further into the statutes and said the money could be used only in certain ways. It could require contracts to do some work on the road but it would have to be built into the logger's bids.

Mr. Ripka said he agreed with Counsel Sargent but noted that it was not a compelling statute. Counsel Sargent said he was talking about the matter with Mr. Suko.

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1 Commissioner Josi said there was nothing to lose by pursuing the matter.

2
3 Chair Hanneman said he was awaiting comment from the State Forester on the matter. He
4 recalled the 1980s when there were no log trucks on the roads, but that was not the case now.

5
6 Mr. Blum reiterated his concern that the road was not built to handle the traffic.

7
8 Ms. Lane said she lived just above the 11 mile marker. She explained the experience with
9 meeting a log truck. She spoke to the owners of the truck who told her there were many places
10 on the road where the driver had to cross the center line in order to make the corners. She said
11 the number of recreational traffic had greatly increased which added to the problem. People who
12 lived on the road should be able to drive it safely.

13
14 Chair Hanneman said the road had one of the most attractive parks on it and lots of residences.
15 Whatever policy applied to it would apply to other County roads as well.

16
17 **ITEM NO. 3: CONSENT CALENDAR:**

18 **Commission Proceedings for January, February & March, 2004:**
19 **Board of Commissioners' Meeting Minutes for March 3, 8, 10, 15, 17, 22, 24 & 29,**
20 **2004:** Chair Hanneman read the items in the calendar.

21
22 Commissioner Josi moved to approve the items, Commissioner Hurliman seconded, passed with
23 three aye votes.

24
25 [The Commissioners signed the items later in the day.]

26
27 **ITEM NO. 4: CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT**
28 **WITH WILLIAM K. SARGENT FOR COUNTY COUNSEL SERVICES:** Commissioner

29 Josi moved to sign the agreement, Commissioner Hurliman seconded, passed with three aye
30 votes.

31
32 The Commissioners signed the agreement.

33
34 Counsel Sargent said he was proud to work as the County's attorney and thanked the Board for
35 letting him do so.

36
37 Commissioner Josi said he was pleased with his work, and Commissioner Hurliman thanked
38 him.

39
40 **ITEM NO. 5: EXECUTION OF AMENDMENT TO ORDINANCE #62, ENACTING THE**
41 **STATE OF OREGON 2003 EDITION, ONE AND TWO FAMILY DWELLING**
42 **SPECIALTY CODE, SETTING FEES FOR PLANNING, ZONING AND BUILDING**
43 **APPLICATIONS, MECHANICAL, RESTRICTED ENERGY ELECTRICAL,**

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PLUMBING AND ELECTRICAL FUNCTIONS AND DECLARING AN EMERGENCY:

Commissioner Josi moved to sign the amendment to Ordinance #62, Chair Hanneman seconded, passed with two aye votes. Commissioner Hurliman voted nay.

The Commissioners signed the Amendment to Ordinance #62.

ITEM NO. 6: CONSIDERATION OF LETTERS TO OREGON NATURAL HERITAGE INFORMATION CENTER AND OREGON PARKS & RECREATION DEPARTMENT REGARDING HABITAT CONSERVATION PLAN FOR THE WESTERN SNOWY

PLOVER: Chair Hanneman asked Mr. Campbell if he had any comment, as he had drafted the letter. Mr. Campbell said no.

Commissioner Hurliman asked Mr. Campbell to read the letter for the viewing audience.

The Chair said OCZMA would be taking up the issue at their conference at the end of the week. He said the Department of Community Development had approached the issue from a land use point of view.

Mr. Campbell read the letter. He said the last portion, withdrawing the County from the Task Force, was the area of discussion.

Commissioner Hurliman said he wanted to send a strong message to Oregon Parks & Recreation Department (OPRD).

Commissioner Josi said he agreed with the strength of the letter, but he would not sign it unless the last sentence withdrawing the County was removed. He said Mr. Carrier, Director of OPRD, had indicated that they wanted to be more responsive to coast communities. They had received 52,000 comments from the public, and they wanted to go back to the Advisory Committee, which the County was now pulling out of. Commissioner Josi asked how the County could collaborate and coordinate with OPRD if the County was not willing to participate.

Commissioner Hurliman discussed the make-up of the Committee. He said the Committee was given a report by OPRD and not asked for input. He said the County had no say in the make-up of the Committee.

Chair Hanneman said the Department was proposing a steering committee to determine how to deal with the letters, most of which were against the proposed regulations. The committee would decide where to go next. He outlined what the purpose of the committee was supposed to be. Many coastal people had e-mailed OPRD saying they wanted to attend. OPRD said the meeting was only between staff members as it would be dealing with procedural issues.

Chair Hanneman said that he wanted to sit in on the meeting as he was the Chair of OCZMA. Because OPRD had not invited him to attend, he had made the decision to support the letter with

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1 the last paragraph included, withdrawing the County.

2
3 Commissioner Josi said they were elected to represent the people of the County, and by
4 withdrawing from the Committee, the County loses its voice to represent the people on this
5 contentious issue.

6
7 The Chair said he respected that but thought the language in the letter would allow the County to
8 rejoin later.

9
10 Commissioner Josi suggested holding off on sending the letter and all of the Commissioners
11 attending the next meeting to see if Mr. Carrier would live up to his word. Commissioner
12 Hurliman said he could support that but he was skeptical in light of their decision to hold a
13 procedural meeting with only staff in attendance.

14
15 Commissioner Josi said that meeting was just to figure out how to move forward in an effective
16 manner not to deal with the plan itself. Commissioner Hurliman said the depth goes to the
17 organization of the Advisory Committee. He thought there was a problem with the groundwork
18 and wanted them to go back.

19
20 Commissioner Hurliman moved to sign and send the letter as read by Mr. Campbell, Chair
21 Hanneman seconded.

22
23 Commissioner Josi said the letter was not effective with only two signatures, even though it was
24 a good letter.

25
26 Chair Hanneman complimented Mr. Carrier on his good work, but thought that he was being
27 driven by the Oregon Department of Fish & Wildlife. They needed to find a way to abide by the
28 land use laws. The Chair also believed that the wording of the letter would allow Tillamook
29 County to rejoin the Committee. He would call Mr. Carrier and tell him so.

30
31 Motion passed with two aye votes. Commissioner Josi voted nay.

32
33 [The letter was signed and sent later in the day.]

34
35 **ITEM NO. 7: COMMUNITY DEVELOPMENT UPDATE ON THE MEASURE 56**
36 **NOTICE FOR TRANSPORTATION SYSTEM PLAN AND THE RIPARIAN**

37 **ORDINANCE:** Mr. Campbell said the two processes were going forward. Revisions would be
38 made to the Transportation System Plan (TSP) and he explained the process. The mailing was
39 sent to over 5000 property owners in the County in the past and would probably be that many in
40 the new notice.

41
42 Mr. Campbell said the Planning Commission would be hearing the TSP on May 13 and the
43 Riparian Ordinance on May 20. The final Staff Report on the Riparian Ordinance would be

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1 posted on the Department's website in April; the TSP was already on it.

2
3 Commissioner Josi expressed concerns about the notice would be written. Mr. Campbell said
4 there would be a public meeting that would lay out the changes for the public. He explained the
5 areas of exemption, which included state and federal land, commercial and agricultural land.

6
7 Commissioner Hurliman said the GIS gave them a better a handle on where those properties were
8 located. He wanted Mr. Campbell to check on the percentage of unbuilt land. Mr. Campbell
9 explained the Assessor's program that they can be requested to run. He explained how these
10 determinations were made.

11
12 Mr. Campbell noted a fill removal workshop with DSL, the Corps and others on April 15. Soil
13 and Water and the Farm Bureau would also be involved. The purpose of the meeting was to help
14 citizens work with agencies to accomplish their work.

15
16 **ITEM NO. 9: PUBLIC COMMENTS:** Ms. Veek presented a petition with 40 more signatures
17 for development of an animal shelter. She said they had 850 signatures in total.

18
19 Commissioner Josi explained the small meeting he had with two people from the group. They
20 were working on long-term and short-term solutions, and he felt they were close to a temporary
21 solution. It was going to be a cooperative relationship between the cities, other counties and
22 volunteers.

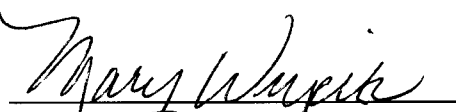
23
24 **ITEM NO. 8: BOARD CONCERNS - NON-AGENDA ITEMS & ANNOUNCEMENTS:**

25 Commissioner Josi read the announcements and explained the process for developing a budget.

26
27 Chair Hanneman adjourned the meeting at 10:10 a.m.

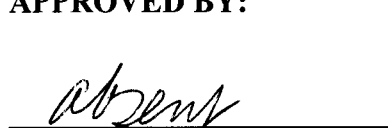
28
29 **RESPECTFULLY** submitted this 19 day of May, 2004.

30
31 County Clerk: Tassi O'Neil

32
33 
34 _____
35 Mary Wujcik, Recording Secretary
36 & Special Deputy



37
38 **APPROVED BY:**

39
40 
41 _____
42 Chairperson

43


Vice Chairperson



Commissioner

**BOARD OF COMMISSIONERS'
MEETING**

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PLEASE PRINT CLEARLY

Name

Mailing Address

Item of Interest

Gus Meyer On Record General

Jerry Ripko Trask Rd.

DANNA LANE 24755 TRASK RIVER RD TRASK RIVER RD.

Yvonne Ripka 24775 Trask River Rd "

Jerry Ripko 24815 Trask River Rd

Paul Campbell TOCD #5-6-7

Skyler Veek 4111 Beech ST Concerned Citizens
for Animal Shelter

(Please use reverse if necessary)

Bob *Bill S.*
no PL

Bill C
Lawson

Ken
Dickhead
Jerry
Pappa
Styger
Val
Gus

CALL TO ORDER: Wednesday, April 7, 2004

BOARD OF COMMISSIONERS

- 1. 9:00 a.m. Welcome & Request to Sign Guest List
- 2. Public Comment - Non-Agenda Items

CONSENT CALENDAR

- 3. Commission Proceedings for January, February & March, 2004

Board of Commissioners' Meeting Minutes for: March 3, 8, 10, 15, 17, 22, 24 & 29, 2004

LEGISLATIVE – ADMINISTRATIVE

- 4. Consideration of Professional Services Agreement with William K. Sargent for County Counsel Services
- 5. Execution of Amendment to Ordinance #62, Enacting the State of Oregon 2003 Edition, One and Two Family Dwelling Specialty Code, Setting Fees for Planning, Zoning and Building Applications, Mechanical, Restricted Energy Electrical, Plumbing and Electrical functions and Declaring an Emergency/Bill Campbell
- 6. Consideration of Letters to Oregon Natural Heritage Information Center and Oregon Parks & Recreation Department regarding Habitat Conservation Plan for the Western Snowy Plover
- 7. Community Development Update on the Measure 56 Notice for Transportation System Plan and the Riparian Ordinance/Bill Campbell
- 8. Board Concerns - Non-Agenda Items & Announcements
- 9. Public Comments

ADJOURNMENT

At **8:30 a.m. on Wednesday, April 7**, the Commissioners will be holding an Executive Session, pursuant to ORS 192.660(l)(i) for a performance evaluation. The Executive Session will be held in the Commissioners Meeting Room of the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook. It is not open to the public.

The Commissioners and the County's Budget Officer have set the following schedule for developing the **budget for Fiscal Year 2004-2005**. All the work sessions and meetings are open to the public and will be held in the Commissioners Meeting Room of the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook.

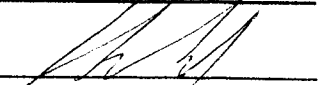
Budget Work Sessions
Wed, April 14, 1:00-4:00 p.m.
Thurs, April 15, 9:00-4:00 p.m.
Friday, April 16, 9:00-11:30 a.m.

Budget Meetings:
Wed, April 28, 1:30-4:00 p.m.
Thurs, April 29, 9:00-4:00 p.m.
Friday April 30, 9:00-4:00 p.m.

On **Wednesday, April 21**, the Commissioners will be holding their weekly meeting at the Beaver Fire Hall, Blaine Road, Beaver. The meeting will begin at **6:30 p.m.**

We, the undersigned concerned citizens of Tillamook County, urge the County Commissioners to fulfill their statutory obligations regarding humane care of lost and abandoned dogs and cats by providing shelter, food, and water, as other Oregon counties do.

PRINT YOUR NAME **ADDRESS** **SIGN YOUR NAME**

Beatrice Michel 1910 Alder Cove Rd 

Barbara Bush 4009 Elmwood St Barbara J. Bush

Lori Foshee 310 Cedar Ave Lori Foshee

Gail Rheiner PO Box 1347 Tillamook Gail Rheiner

Tina L Byrd 28035 Blune Rd Beaver Tina L Byrd

Eric Halperin 1910 Alder Cove Rd w Tillamook Eric Halperin

Cheryl Brunee 101 N.W. 21st Ave Rockaway Cheryl Brunee

Keri Lacey 2200 9th St Tillamook Keri Lacey

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PRINT YOUR NAME ADDRESS SIGN YOUR NAME

Kris Ipock Tillamook
4600 Idaville Rd. #45 Kris Ipock

MARGARET GLENN BOX 164 511 1ST ST
MANZANITA 97300 Margaret Glenn

Mary L. Mann 2905 Champagne Ln
Tillamook OR 97141 Mary L. Mann

Shelley Moulis 5520 6TH ST NW
TILLAMOOK OR 97141 Shelley Moulis

Corin Barnes 503 Hodgdon Rd
Tillamook, OR 97141 Corin Barnes

Carin Maddox 109 Miller Ave.
Tillamook Or 97141 Carin Maddox

Lynn Hannam P.O. Box 155, Netarts 97143 Lynn Hannam

Walter E. Huntington 4600 Idaville Rd #4, Netarts
Walter Huntington

Shawn Mallon 4204 Filbert St.
Tillamook, OR 97141 Shawn M. Mallon

Justin Hilby 4204 Filbert St
Tillamook OR 97141 Justin Hilby

ED WALLMARK 4110 BEECH ST
TILLAMOOK OR 97141 Ed Wallmark

Aaron Grau 1405 Pacific Ave
Oceanside Aaron Grau

Michael O'Brien 810 Williams Ave
Tillamook, OR 97141 Michael O'Brien

Brenda White P.O. box 304, Garibaldi
Garibaldi, OR 97126 Brenda White

Tammik Rowland 509 GROVE
TILLAMOOK OR Tammik Rowland

Sam McNeil 509 GROVE
TILLAMOOK OR Sam McNeil

Faith H. Dorothy P.O. Box 268
Wier, OR Faith Dorothy

Ruth Murillo 4432 Glenview
Tillamook, OR Ruth Murillo

R. Mandell 5143 L Glenview
TILLAMOOK R. Mandell

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PRINT YOUR NAME ADDRESS SIGN YOUR NAME

Jean L. Hlefeld 15705 HWY 101, Box 182, Seaside, Oregon Jean L. Hlefeld

Gayle Leber 495 1st St. Wheeler Gayle Leber

Linda E. Archambault 10360 Hughey Ln. Till. Linda E. Archambault

Sydney Krueger 104 Cedar Ave Sydney Krueger

~~M. M. Miller~~ 6920 Whiskey Creek Rd

Jenny Stanley 495 Avalon Way Occoaside, Oregon Jenny Stanley

Alma Krauspe 546 4th St Wheeler OR 97147

NADINE M. SMITH 5330 4TH HW Nadine M. S

NEIL BRONSON - P.O. BOX 336, NEHALEM - 97131 - Z. Bronson

Norma L. Parker P.O. Box 846, Rockaway - 97136 - Norma Parker

