

MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING

Wednesday, June 16, 2004

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FILED

3:45pm

JUL 14 2004

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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:** Dan Krein, Juvenile Department Director;
9 John Robinson, Health Department Director; Bill Campbell, Community Development Director;
10 Lisa Phipps, Coastal Resource Planner
11

12 **GUESTS:** Jan Stewart, Mental Health Committee Chair; Gus Meyer; John Gettman
13

14 **CALL TO ORDER:** By Chair Hanneman at 6:37 p.m. in the Commissioners' Meeting Room.
15

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

19 **ITEM NO. 2: PUBLIC COMMENTS - NON-AGENDA ITEMS:** There were no public
20 comments.
21

22 **ITEM NO. 3: CONSENT CALENDAR: Board of Commissioners' Meeting Minutes for: April**
23 **19 & 21, May 3, 5, 10, 12, 17, 2004; Budget Committee Meeting Minutes for April 28 & 29;**
24 **Solid Waste Service District Budget Meeting Minutes for May 5; and 4-H & Extension Service**
25 **District Budget Meeting Minutes for May 10, 2004:** Commissioner Josi moved to approve the
26 minutes, Commissioner Hurliman seconded, passed with three aye votes.
27

28 [The minutes were signed the following day.]
29

30 **ITEM NO. 4: CONSIDERATION OF AGREEMENT WITH CLATSOP COUNTY FOR USE**
31 **OF JUVENILE DETENTION FACILITY:** Mr. Krein said the Board had previously been briefed
32 on the agreement. He summarized the provisions which included four beds at a significant increase
33 in the daily rate. It was still a better rate than available elsewhere. It met the public safety needs of
34 the County. He noted that this was a state-built facility.
35

36 Commissioner Hurliman moved to authorize the Chair to sign the agreement, Commissioner Josi
37 seconded, passed with three aye votes.
38

39 The Chair signed the agreement.
40

41 **ITEM NO. 5: CONSIDERATION OF ORDER APPOINTING MEMBERS (SHEILA WALTY**

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1 **& CLAUDIA EFORD) TO THE TILLAMOOK COUNTY MENTAL HEALTH ADVISORY**
2 **& CHEMICAL DEPENDENCY COUNCIL:** Ms. Stewart, Council Chair, said they had been
3 working to re-energize the Committee. The current members had recommended these appointments.
4 She outlined the qualifications of the two candidates and the difficulty in achieving quorums for
5 meetings.

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

9
10 The Commissioners signed Order #04-62.

11
12 **ITEM NO. 6: CONSIDERATION OF 2004-2005 LPHA FINANCIAL ASSISTANCE**
13 **AGREEMENT #109348 WITH THE DEPARTMENT OF HUMAN SERVICES FOR PUBLIC**
14 **HEALTH SERVICES THROUGH THE TILLAMOOK COUNTY HEALTH**
15 **DEPARTMENT:** Mr. Robinson said this was the new financial assistance award for Local Public
16 Health Programs in Tillamook County. He listed the programs, The amount was \$404,768 for the
17 2004-05 Fiscal Year. Some of the funds needed to be expended by the end of August. He said this
18 was close to what they had anticipated, except for the Babies First program.

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

22
23 The Chair signed the agreement.

24
25 **ITEM NO. 7: CONSIDERATION OF LICENSE AGREEMENT WITH WILLAMETTE**
26 **DENTAL FOR USE OF COUNTY-OWNED DENTAL EQUIPMENT:** Mr. Robinson outlined
27 the events leading to the agreement, beginning with the closure of the County's dental clinic. He
28 described the license provisions and the requirements of the federal grantor which purchased much
29 of the equipment.

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

33
34 The Commissioners signed the license agreement.

35
36 Mr. Robinson announced that as of July 1, those people on the standard Oregon Health Plan would
37 not be forced off. However, if they do not pay the premium, they would not be able to re-enroll.

38
39 **ITEM NO. 8: CONSIDERATION OF MEMORANDUM OF UNDERSTANDING BETWEEN**
40 **OREGON STATE OFFICE OF THE BUREAU OF LAND MANAGEMENT AND**
41 **TILLAMOOK COUNTY, AS A COOPERATING AGENCY, FOR REVISION OF**

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1 **RESOURCE MANAGEMENT PLANS AND ASSOCIATED ENVIRONMENTAL IMPACT**
2 **STATEMENTS FOR THE BLM DISTRICTS WITH LANDS WITHIN TILLAMOOK**

3 **COUNTY:** Commissioner Hurliman said this was in reference a lawsuit the O&C Counties won
4 again BLM. Commissioner Josi said this was a big deal and gave the counties a bigger role in
5 moving toward sustainable timber production.

6
7 Commissioner Hurliman moved to authorize the Chair to sign the MOU, Commissioner Josi
8 seconded.

9
10 Commissioner Josi said through this action, Tillamook County became a cooperating agency.

11
12 Mr. Gettman clarified the O&C lands were the focal point. Commissioner Hurliman said a lot of
13 money was allocated for weed control under Title II.

14
15 Motion passed with three aye votes.

16
17 The Chair signed the MOU.

18
19 **ITEM NO. 9: CONSIDERATION OF AMENDMENT TO COASTAL TECHNICAL**
20 **ASSISTANCE GRANT AGREEMENT TA-306-04-003 FOR A SIX-MONTH NO-COST**
21 **EXTENSION TO COMPLETE GIS SYSTEM FOR TILLAMOOK COUNTY:** Mr. Campbell

22 said the grant was scheduled expire on June 30, but the industrial lands inventory had not been
23 completed. This was a six-month extension. He described the GIS Work that had been completed.

24
25 Commissioner Josi moved to authorize the Chair to sign, Commissioner Hurliman seconded, passed
26 with three aye votes.

27
28 The Chair signed the amendment.

29
30 **ITEM NO. 10: PUBLIC HEARING: ORDINANCE AMENDMENT, OA-99-07 (LAND USE**
31 **ORDINANCE) TO AMEND SECTION 4.080, REQUIREMENTS FOR PROTECTION OF**
32 **WATER QUALITY AND STREAMBANK STABILIZATION, WITH THE ADDITION OF**
33 **SECTION 4.085, RESOURCE AREA RIPARIAN OVERLAY ZONE, FOR LAND AREAS**
34 **DESIGNATED FOR COMMERCIAL FARM AND FOREST USES WITHIN TILLAMOOK**
35 **COUNTY ON LANDS ZONED FOR FARM (F-1), FOREST (F) AND SMALL FARM**
36 **WOODLOT (SFW-20) ZONES, THE PROPOSED ORDINANCE AMENDMENT APPLIES**
37 **ONLY TO NON-FARM AND NON-FOREST USE ACTIVITIES:** Chair Hanneman opened the

38 public hearing but said the Planning Commission had not forwarded revisions, ordinances or
39 recommendations. He suggested the hearing be postponed until July 21st or 28th.

40
41 Chair Hanneman recessed the meeting at 7:12 p.m. and reconvened at 7:14 p.m.

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1 Chair Hanneman discussed the date of July 28th at 7:00 p.m., which was acceptable to all parties.

2
3 Chair Hanneman ordered this hearing continued to July 28, 2004 at 7:00 p.m.

4
5 **ITEM NO. 11: BOARD CONCERNS - NON-AGENDA ITEMS & ANNOUNCEMENTS:**
6 **Consideration of Resolution Making County Elections under P.L. 106-393 for O&C Lands**
7 **related to Safety-Net Payments (Replaces #R-04-11):** Commissioner Josi said the prior
8 resolution contained a typographical error and this resolution was needed to replace it.

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

12
13 The Commissioners signed Resolution #R-04-14.

14
15 Chair Hanneman read the announcements.

16
17 **ITEM NO. 12: PUBLIC COMMENTS:** There were no comments.

18
19 The Chair adjourned the meeting at 7:19 p.m.

20
21 **RESPECTFULLY** submitted this 14 day of July, 2004.

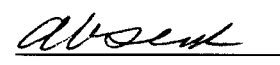
22
23 County Clerk: Tassi O'Neil

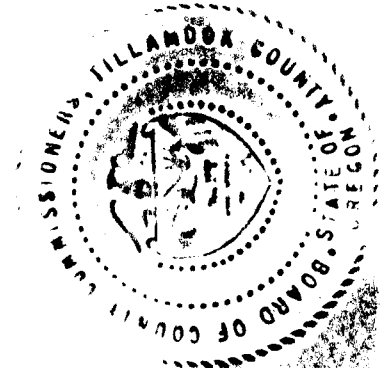
24
25 
26 Mary Wujcik, Recording Secretary
27 & Special Deputy

28
29
30 **APPROVED BY:**

31
32 
33 Chairperson

34  Vice Chairperson

35  Commissioner



CALL TO ORDER: Wednesday, June 16, 2004 @ Tillamook County Courthouse, 201 Laurel Avenue, Tillamook

BOARD OF COMMISSIONERS

1. 6:30 p.m. Welcome & Request to Sign Guest List
2. Public Comment - Non-Agenda Items

CONSENT CALENDAR

3. Board of Commissioners' Meeting Minutes for: April 19 & 21, May 3, 5, 10, 12, 17, 2004; Budget Committee Meeting Minutes for April 28 & 29; Solid Waste Service District Budget Meeting Minutes for May 5; and 4-H & Extension Service District Minutes for May 10, 2004

LEGISLATIVE – ADMINISTRATIVE

4. Consideration of Agreement with Clatsop County for Use of Juvenile Detention Facility/ Dan Krein
5. Consideration of Order Appointing Members (Sheila Walty & Claudia Eford) to the Tillamook County Mental Health Advisory & Chemical Dependency Council/Jan Stewart
6. Consideration of 2004-2005 LPHA Financial Assistance Agreement #109348 with the Department of Human Services for Public Health Services through the Tillamook County Health Department/John Robinson
7. Consideration of License Agreement with Willamette Dental for Use of County-Owned Dental Equipment/John Robinson
8. Consideration of Memorandum of Understanding between Oregon State Office of the Bureau of Land Management and Tillamook County, as a Cooperating Agency, for Revision of Resource Management Plans and Associated Environmental Impact Statements for the BLM Districts with Lands within Tillamook County
9. Consideration of Amendment to Coastal Technical Assistance Grant Agreement TA-306-04-003 for a 6-Month No-Cost Extension to Complete GIS System for Tillamook County/Bill Campbell
10. 7:00 p.m. **Public Hearing:** Ordinance Amendment, OA-99-07 (Land Use Ordinance) to Amend Section 4.080, Requirements for Protection of Water Quality and Streambank Stabilization, with the Addition of Section 4.085, Resource Area Riparian Overlay Zone, for Land Areas Designated for Commercial Farm and Forest uses within Tillamook County on Lands Zoned for Farm (F-1), Forest (F) and Small Farm Woodlot (SFW-20) Zones, the Proposed Ordinance Amendment Applies only to Non-Farm and Non-Forest Use Activities.
11. Board Concerns - Non-Agenda Items & Announcements
12. Public Comments

ADJOURNMENT

At **1:30 p.m. on Monday, June 21**, the Commissioners will be holding an Executive Session, pursuant to ORS 192.660(l)(i) for performance evaluations. 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 Fourth of July is an observed holiday for the County, as well as the Oregon State Circuit Courts. All the offices in the Courthouse will be **CLOSED on Monday, July 5, 2004.**

There will be **NO** evening Board of Commissioners' Meetings in July and August. The evening schedule will begin in the fall.



Land of Cheese, Trees and Ocean Breeze


DEPARTMENT OF COMMUNITY DEVELOPMENT
BUILDING, PLANNING & ON-SITE SANITATION SECTIONS

201 Laurel Avenue
Tillamook, Oregon 97141

Building (503) 842-3407
Planning (503) 842-3408
On-Site Sanitation (503) 842-3409
FAX (503) 842-1819
Toll Free 1 (800) 488-8280

To: Board of Commissioners

June 14, 2004

From: Bill Campbell, Director 
Department of Community Development

Subject: Ordinance Amendment OA-99-07, Periodic Review Task 10
Update of Riparian Overlay Zone

The Tillamook County Planning Commission at its meeting of June 10, 2004 continued its work and deliberations upon the above referenced Period Review Work Task to July 8, 2004. The initial hearing by the commission was held on May 20, 2004. The commission's motion at that hearing was to continue the hearing to June 10, 2004, while keeping the record open to further written responses and testimony from the general public until 5:00 PM on June 3, 2004. In accordance with the directions of the commission staff posted written responses to questions posed orally and in written testimony received at the hearing of June 10th to the county web-page on May 28, 2004. Staff also posted an Addendum to the staff report with recommendations for changes to the draft ordinance language based upon public input and comments.

The planning commission is presently divided on whether or not to support an ordinance change, but wanted to have another meeting to work with the testimony received and the draft ordinance to develop its recommendation to the Board of Commissioners on this important issue.

Among the options available to the Board of Commissioner are:

- Open the Public Hearing and continue it to a date certain or a date to be noticed;
- Open the Public hearing and take public testimony, in which case the Board could continue the hearing to a date certain to receive the Planning Commission's recommendation prior to deliberations, although the testimony received would not have the benefit of any changes or modifications to the draft proposal as submitted for public review; or
- Open and conduct the public hearing with public testimony, deliberations and action by the Board without a Planning Commission recommendation.