

MINUTES – TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING

Monday, March 31, 2008

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MAY 19 2008
4:45
TASSI O'NEIL
COUNTY CLERK

COMMISSIONERS PRESENT:

Tim Josi, Vice-Chair
Mark Labhart, Commissioner

COMMISSIONER ABSENT:

Charles J. Hurliman, Chair (Vacation)

STAFF PRESENT:

Su Yaremchuk, Staff Assistant

STAFF PRESENT FOR PORTIONS OF THE MEETING: Susan Becraft, Staff Assistant; Paul Levesque, Director, Facilities, Fleet and Contracts; Curtis Hesse, Administrator, Health Department; Gordon McCraw, Emergency Management; Dave Dickman, Director, Human Resources; Michael Soots, Interim Director, Information Services; Dave Barbour, Community Development; Jennifer Purcell, Solid Waste; Liane Welch, Director, Public Works; Bill Campbell, Director, Community Development; Neal Lemery, Justice of the Peace; Tim Lutz, Assessor, Karen Dye, Treasurer and Senator Betsy Johnson.

GUESTS: John Gettman and Gus Meyer.

CALL TO ORDER: By Vice-Chair Josi at 9:08 a.m. in Commissioners' Meeting Room B.

ITEM NO. 1: PUBLIC COMMENTS – NON-AGENDA ITEMS – REQUEST TO SIGN GUEST LIST: Chair Josi welcomed everyone and reminded them to sign the guest list.

ITEM NO. 2: DISCUSSION CONCERNING AN ORDER IN THE MATTER OF DECLARING COUNTY-OWNED PROPERTY AS SURPLUS AND DIRECTING THAT A 1987 CHEVROLET AMBULANCE BE TRANSFERRED TO THE CLATSOP COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT: Gordon McCraw said that they wanted to dispose of the older communications van which was donated to the County eight (8) years ago by Tillamook County General Hospital. It was an ambulance that was converted to a surplus radio equipment van for communications. Back in December, when the power was knocked out for everyone, Clatsop County borrowed the van. They have the funds to upgrade and maintain the van. The request is to donate the van to Clatsop County for their use. This matter will be brought forward to Wednesday.

Commissioner Labhart asked Deputy McCraw to describe his job. Deputy McCraw said that he was in New Orleans prior to Tillamook where Sheriff Anderson sought him out. His wife is from Lincoln City. Her maiden name was Schneidecker. He has had experience with the California earthquake aftermath and Hurricane Katrina. He works with the positive aspects of FEMA in emergency management.

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Deputy McCraw works Saturday and Sundays as a field Deputy and Monday and Tuesdays for Emergency Management.

ITEM NO. 3: DISCUSSION CONCERNING AN ORDER APPOINTING HARRY D. COFFMAN TO THE TILLAMOOK COUNTY COMMUNITY HEALTH COUNCIL: Curtis Hesse said he is pleased to bring the candidacy of Harry Coffman for the Health Council. Mr. Coffman attended a Health Department Workshop a while back and has now turned in his application and wants to participate. Mr. Coffman is a retired health education teacher, has been an eighteen (18) year resident of Tillamook, worked in Beaverton and Hermiston and was the Tillamook School District Area 1 representative for the Oregon Rural Health Council out of the Oregon Health Sciences University.

Dr. Hesse said he is not able to be at the meeting on Wednesday. The Commissioners will carry this item for Dr. Hesse as it is moved forward.

ITEM NO. 4: DISCUSSION CONCERNING SENDING A RESPONSE LETTER TO BOB RIGGERT, OWNER OF THE HEALTH DEPARTMENT BUILDING, REGARDING HIS OFFER TO SELL THE BUILDING AND ASSOCIATED PROPERTY TO THE COUNTY: Dr. Hesse said that he drafted a letter for rewrite or review in response to Mr. Riggert's offer to sell the Health Department building to the County.

Commissioner Labhart said that he had talked with Mr. Riggert a week ago and said he was adamant about selling. His health is failing and he wants to dispose of property. Commissioner Labhart felt that he is willing make a deal of any kind with Health Department and get out of owning that building.

Dr. Hesse said that Paul Levesque had been handling it but said he would be willing to talk with Mr. Riggert. Dr. Hesse believes that Mr. Riggert has had an appraisal done in the last couple of weeks as they have had groups come through the buildings.

Commissioner Labhart felt that Mr. Levesque was close on the last negotiations. The Health Council did have some specific concerns about the purchase. Vice-Chair Josi feels it would be in the best interest of the County to have further discussions about the purchase with Mr. Riggert. Both Vice-Chair Josi and Commissioner Labhart encouraged Dr. Hesse to leave the letter open but to also informally negotiate with Mr. Riggert. Dr. Hesse will do so.

ITEM NO. 5: DISCUSSION CONCERNING AN ORDER APPOINTING TIM DOLAN, DEBORAH DYSON, DENISE HARRINGTON AND CHRISTIAN HOOLEY AS JUSTICES OF THE PEACE PRO TEM;

Judge Lemery said that this is just annual housekeeping. These attorneys substitute for Judge Lemery when he is on vacation or has a conflict. He said that Deborah Dyson does most of the Pro Tem work and that Denise Harrington has gone back to work as a full time teacher. This will be brought forward to Wednesday.

ITEM NO. 6: DISCUSSION CONCERNING OUT-OF-STATE TRAVEL REQUEST FOR KARI FLEISHER TO ATTEND A COMMERCIAL APPRAISAL TRAINING IN KENT, WASHINGTON;

Tim Lutz said that Kari Fleisher was now the commercial appraiser and needs more training. Usually it is done in Portland but they are not offering that class at this time. The nearest class they could find was Kent, Washington. The cost is the same price as if it were in Portland and the funds are in the budget. Mr. Lutz asked if the Commissioners would carry this on Wednesday. This will be brought forward to Wednesday.

ITEM NO. 7: HUMAN RESOURCES UPDATE; David Dickman said that recruitments are taking a huge amount of time. There are nine (9) positions being recruited: a part-time Office Specialist II for the Clerks office, a Land Use Planner II which has had no applicants, a Land Use Planner III, again with no applicants, a Coastal Planner with one (1) application from Illinois, a Custodian and an Electrical Inspector. The Electrical Inspector closed on Friday but may be extended. There are twenty-three (23) applications for the Human Resources Generalist all of which are qualified. There are also Office Specialist II positions in the Justice Court and Assessors Office.

Vice-Chair Josi commented that we can't seem to get any applications for the Community Development positions. Mr. Dickman said that they are not closed yet and most do not apply until the last day. We will need to start thinking outside the box. Lane County is laying off two hundred (200) people effective July 1st. He feels that it would be wise to advertise in the Medford Tribune for the Planning positions.

Mr. Dickman reported that we have an application for the Physician and the gentleman appears to be well qualified on paper. Unfortunately, he is under contract with a medical executive placement firm and we would be required to pay a Twenty-Five Thousand (\$25,000) Dollar finders fee, which is not untypical in this area. He will talk to them about reducing that amount if we come down to making an offer.

Dr. Hesse said that we don't want to loose the opportunity of hiring because of the fee and feels that he can negotiate the amount down and over time. He has also discussed this matter with the Health Council. They are uncomfortable about paying a fee since

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the Health Department is still getting back on its feet. Dr. Reiner (the applicant) and Dr. Betlinski have spoken. Dr. Reiner will be in town as he had purchased a home approximately six (6) months ago. There is also another application coming in shortly.

Commissioner Labhart said that the doctor will be a revenue generator and wants Dr. Hesse to negotiate the finders fee. Vice-Chair Josi said he knows that we can't afford the fee and that Dr. Hesse is most concerned about this. There was consensus that the Commissioners will support Dr. Hesse's adding this physician, which will inevitably increase revenue.

Mr. Dickman said that we currently have several mid-level providers that are in transition from being a contractor to being an employee with the County. He is currently reviewing the contracts since some of these contractors do not fall under the definition of an "independent contractor". It also makes more sense to have them as employees from a control perspective. If they do not change to employees we may face problems with the Internal Revenue Service.

Mr. Dickman reported that a representative from the ASFCME Union contacted him last week concerning the four/ten (4/10) scheduling in the Road Department. It is an issue around holidays. He does not feel that entering in to a Memorandum of Understanding with the Union is desirable as it stands now.

Liane Welch said she wants to have some discussion but felt that she would abide by what has been negotiated by the team. Ms. Welch said that May 1st her Department switches to four/ten (4/10) shifts but when there is a holiday week involved individuals have to take two (2) hours vacation or leave time to compensate. Ms. Welch suggested that on the weeks where there is a holiday that the crew works the five/eight (5/8) shifts. There is only one (1) individual that is upset about this.

The shift change only affects three (3) holidays, Memorial Day, July 4th and Labor Day. The Commissioners said that they do not want to have to make a final decision about this and set a precedent. There was consensus to have Mr. Dickman investigate this and get back to the Commissioners.

Mr. Dickman said that they currently have an Acting Director for the Information Services Department and wanted to know if we need to do a solicitation for recruitment of a permanent Director. Commissioner Labhart said he would like to go through the budget process first to see if we will have the funds. Vice-Chair Josi said if the money is there then we would continue. Mr. Dickman said that we are not obligated to conduct an external recruitment but are required to do an internal recruitment for five (5) days. There was consensus to make this decision after the budget has been finalized.

ITEM NO. 8: INFORMATION SERVICES UPDATE: a) DISCUSSION CONCERNING ORDER DECLARING COMPUTERS AND EQUIPMENT AS SURPLUS:

Michael Soots said this is a surplus order for equipment that is out of service and has no further use. The request is to recycle the equipment as it is taking up space. They have removed any parts that are still working for spares. Mr. Soots will not be available on Wednesday. The Commissioners will carry this item on Wednesday.

ITEM NO. 9: PUBLIC WORKS UPDATE: Ms. Welch introduced Jennifer Purcell, the new Solid Waste Coordinator. She was previously on staff with the Future's Council with Shirley Kalkhoven. This is her second week and there will be a steep learning curve. The Commissioners welcomed Ms. Purcell.

Ms. Welch reported that there was snow on Friday and had to activate the snow plows. There were also five (5) seven (7") inch trees down and three (3) landslides. The roads had to be cleaned up again. It seems like they are not moving forward, which is frustrating.

There are four (4) public forums this week on the Road Campaign. They will be held at the Pelican Pub, the 911 Center, Oceanside and Neskowin Fire Hall. Ms. Welch said that there are three thousand (3,000) culverts in this County that need repair. She is working on getting funding to do that.

Ms. Welch said that the Solid Waste Budget follows a different schedule. They did not have a March Solid Waste Advisory Committee (SWAC) meeting. The next SWAC meeting is scheduled for April 29 but the SWAC Budget gets reviewed on the 28th so SWAC will not be able to review their Budget. They are unable to reschedule and the Committee always seems to have comments. Karen Dye suggested that since it is anticipated that there will be a lot of changes that the Budget is sent out and then the Committee can formally comment on it before the final proposal. Ms. Dye said the bottom line is the bottom line but it will all work out in the long run.

Ms. Welch said that the Maxwell Mountain encroachment with the Moody-Naegli team is taking a lot more time than she had anticipated. The Commissioners asked her to negotiate with the Moody-Naegli's but they do not feel compelled to do so. The Moody-Naegli's have been contacting the Commissioners but their instructions were for Ms. Welch to work this out. They have not submitted any new plans.

a) DISCUSSION CONCERNING NON-PREVAILING WAGE RATE CONSTRUCTION CONTRACT WITH CONCRETE ENTERPRISES, INC., FOR THE TRASK RIVER (JOHNSON) BRIDGE REPLACEMENT PROJECT:

Ms. Welch reported that this is the last of the six (6) Oregon Transportation Investment Act (OTIA) bridges to be repaired. There was an Eight Million (\$8,000,000) Dollar Grant for all six (6) bridges. Concrete Enterprises is the low bidder. They will no longer be doing the road approaches to this bridge to keep the cost down. The initial bid was for Two Million One Hundred Forty-Three Thousand Five Hundred Forty-Three (\$2,143,543) Dollars. We are down to One Hundred Forty Thousand (\$140,000) Dollars left of the Eight Million (\$8,000,000) Dollars to be used for contingency. Ms. Welch is asking for permission to sign the Contract so that she can manage the money. Once the One Hundred Forty Thousand (\$140,000) Dollars is gone there is no more money for the bridges. This will be brought forward to Wednesday as a Prevailing Wage Rate Construction Contract.

b) DISCUSSION CONCERNING LOCAL AGENCY AGREEMENT #23926 WITH THE STATE OF OREGON DEPARTMENT OF TRANSPORTATION THROUGH ITS EMERGENCY RELIEF PROGRAM FOR THE REPLACEMENT OF A DAMAGED CULVERT ON SOUTH PRAIRIE ROAD AT FAWCETT CREEK:

During the November 2006 storm the Fawcett Creek culvert was damaged and it falls within the Federal Aid System of Federal Highway Bridges. There are three (3) options for repair: metal culvert, concrete box culvert or a bridge. Federal Highways wants to put in a bridge that is fish friendly. Our share is ten (10%) percent of the One Million Six Hundred Thousand (\$1,600,000) Dollar cost. Tillamook Estuary Partnership is applying for a grant that should be a slam dunk. There is One Hundred Thousand (\$100,000) Dollars in the budget for this bridge. This will be brought forward to Wednesday.

c) DISCUSSION CONCERNING NON-PREVAILING WAGE RATE CONSTRUCTION CONTRACT WITH DEMOULIN CONSTRUCTION FOR CONSTRUCTION OF POLE BUILDING AT THE MANZANITA TRANSFER STATION:

Ms. Welch said this Contract is for the construction of a pole barn at the Manzanita Transfer Station. The building was donated. The Solid Waste sinking fund is paying for this and it is within the budget. This is one of ten (10) capital projects initiated by the SWAC. This will be brought forward to Wednesday.

d) DISCUSSION CONCERNING REQUEST BY THE PUBLIC WORKS DIRECTOR TO SIGN THE COOPERATIVE SERVICE AGREEMENT & WORKPLAN/PROPOSED BUDGET BETWEEN USDA, APHIS, WILDLIFE SERVICES AND TILLAMOOK COUNTY:

This is a Contract with the US Department of Agriculture (USDA) APHIS for Eight Thousand (\$8,000) Dollars for the Johnson Bridge barn swallows. If the swallows lay eggs they cannot be disturbed per the Migratory Bird Act. Netting needs to be put on the bridge immediately. These funds will come out of the One Hundred Forty

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Thousand (\$140,000) Dollars left for the OTIA bridges. Ms. Welch is requesting permission for her to sign this Contract today because the work needs to be done tomorrow.

Commissioner Labhart made a motion to approve, under duress, the Cooperative Service Agreement & Workplan/Proposed Budget between USDA, APHIS, Wildlife Services and Tillamook County and for Ms. Welch to sign the Agreement. The motion was seconded by Vice-Chair Josi. The motion carried with two (2) aye votes.

e) DISCUSSION CONCERNING NON-PREVAILING WAGE RATE CONSTRUCTION CONTRACT WITH BRIAN WERNER CONSTRUCTION, INC., FOR CONSTRUCTION OF A CONCRETE RETAINING WALL AT THE MANZANITA TRANSFER STATION:

This is a Contract for the Z-wall that was damaged in a fire. It has become a safety issue and needs to be replaced and realigned so that it will match with the CARTM Master Plan. It will be paid from the sinking fund and has been approved by SWAC. This will be brought forward to Wednesday.

Vice-Chair Josi recessed the meeting at 10:13 a.m. and reconvened it at 10:21 a.m.

ITEM NO. 10: COMMUNITY DEVELOPMENT UPDATE: a) PERMIT REPORT: Bill Campbell reported that Chris Chiola was out of the office this past week so his report has not been updated. Activities have been the same. Revenues will probably fall about five to eight (5 – 8%) percent from last year as a best guess but should be going back up again soon.

b) SANITATION REPORT: Only a few have not been completed and two (2) on hold for land use and geohazard.

OTHER: Friday was Ryan Bennett's last day. There is one (1) applicant that is fully qualified and should be interviewed.

c) DISCUSSION CONCERNING ORDER ESTABLISHING A GIS SUBSCRIPTION PROGRAM FOR COUNTY DEPARTMENTS, CITIES, SPECIAL DISTRICTS, LOCAL NON-PROFIT ORGANIZATIONS AND LOCAL PRIVATE SECTOR BUSINESSES AND ADOPTING THE FEE SCHEDULE: Mr. Campbell said that this is a Board Order for a GIS program, which will operate in tandem with our agreement for parties outside County where they can have access to the GIS data for a specific cost. This expands information for the Cities, Special Districts, local non-profits and private sector businesses. They will take the existing agreement and modify it for subscription purposes with Attachment A, which is an annual fee schedule. This also reserves right of a no fee exchange delegation to the Department and Director.

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John Gettman asked if LiDAR was going to be part of this process. Dave Barbour said if we have LiDAR it will be considered part of the Tillamook County GIS data. Mr. Gettman asked if he wanted a print out of a specific item would this fee allow him to come to Mr. Barbour. Mr. Barbour said there is already a fee schedule and he does the work on a time available basis. The priority would be the County, then Cities and then other organizations. This fee schedule will reduce rates for time and work for subscribing partners. The current charge is Eighty (\$80) Dollars per hour for Mr. Barbour's time. Mr. Campbell said that it is the hope that for subscribers it will give them access to accurate data and use that information and own print capabilities. Gus Meyer reiterated that it is direct access. Mr. Barbour said they are working on setting that up.

Mr. Gettman asked where non-profits would get the money to be a subscriber? Mr. Barbour said that they could look at grant moneys through the National Resource Conservation Service (NRCS) to defray the costs.

TAKEN OUT OF ORDER ITEM NO. 13: DISCUSSION CONCERNING FINANCIAL AUDIT AND TITLE III FUNDS DISTRIBUTED TO THE SHERIFF'S OFFICE FOR THE HALF-TIME FOREST DEPUTY:

Vice-Chair Josi said that this matter has already been discussed. He said that this was put on the agenda at the request of Chair Hurliman and should not be placed back on the agenda unless Chair Hurliman specifically asks for it to be done.

UNSCHEDULED: Su Yaremchuk said that we have a request from the Oregon Department of Transportation Enhancement Program to write a letter of support for the Oregon Scenic Railroad. They want to apply for a One Million Six Hundred Thousand (\$1,600,000) Dollar grant to construct a facility on Port property for displaying historical railroad equipment, restore historical artifacts to their original specifications and give the public a chance to see the process of historical machinery by utilizing railroad equipment, among other things. This is related to the train that runs in Garibaldi during the summer. They want to keep this information in Tillamook County and not go to another State. There are no County funds involved.

Commissioner Labhart made a motion to approve and sign a letter of support for the Oregon Department of Transportation Enhancement Program for the Oregon Scenic Railroad to apply for a grant. The motion was seconded by Vice-Chair Josi. The motion carried with two (2) aye votes.

Vice-Chair Josi recessed the meeting at 10:35 a.m. to an Executive Session under ORS 192.660 (2)(f) "To consider information or records that are exempt by law from public inspection" and (h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

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Vice-Chair Josi reconvened the meeting at 10:54 a.m. Senator Betsy Johnson joined the meeting.

Chair Josi said that no decisions had been made as a result of the discussions in the Executive Session.

Commissioner Labhart made a motion to distribute, according to our standard distribution formula, the Senate Bill 994 funds. The motion was seconded by Vice-Chair Josi. The motion carried with two (2) aye votes.

ITEM NO. 11: FACILITIES, FLEET AND CONTRACTS DIRECTOR UPDATE: a) DISCUSSION AND CONSIDERATION OF RECOMMENDATION TO THE OREGON GEOGRAPHIC NAMES BOARD CONCERNING A REQUEST TO RENAME "DALEY LAKE CREEK" TO "WINEMA CREEK": Paul Levesque said that he is on the Geographic Names Board but he is not here as a member of that Board but rather a staff member. The Oregon Geographic Names Board is soliciting a recommendation from the Board of Commissioners as to the renaming of Daley Lake Creek to Winema Creek. Based on a map, there was a creek that emptied into the lake and then into the ocean. Renaming the Creek will eliminate confusion.

Commissioner Labhart made a motion to approve the recommendation to the Oregon Geographic Names Board concerning a request to rename Daley Lake Creek to Winema Creek. Vice-Chair Josi seconded the motion. The motion carried with two (2) aye votes.

b) DISCUSSION AND CONSIDERATION CONCERNING COMMUNITY DEVELOPMENT DEPARTMENT MOVE TO TLC FEDERAL CREDIT UNION: Mr. Levesque said that there has been a lot of discussion concerning which County Department should move to the TLC Credit Union Building when it is available. There has been no formal decision made. It makes the most sense for the Community Development Department to move there since they are not linked to other departments like the Courts to the District Attorney's office. The space is very well suited to Community Development needs and it is Mr. Levesque's recommendation as Facilities Director that the decision to move Community Development to the TLC Federal Credit Union building be made.

Commissioner Labhart said he felt strongly that they need to get out of the basement because of the mold and water problems. It is in the best interest of the County employees to do this. Vice-Chair Josi agreed. Vice-Chair Josi said that there is a budget implication with the move of approximately One Hundred Twenty Thousand

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(\$120,000) Dollars. There is also a restroom that needs to be modified to be handicapped accessible, counter space to be constructed and an archiving room in the subfloor area.

A motion was made by Commissioner Labhart to approve the move of the Community Development Department to the TLC Federal Credit Union building when it is available. The motion was seconded by Vice-Chair Josi. The motion carried with two (2) aye votes.

c) DISCUSSION CONCERNING PAINT COLORS IN THE COURTHOUSE: Mr. Levesque said there are a number of paint cans with many different colors in closets around the Courthouse. Chair Hurliman ask that Mr. Levesque form a committee of elected officials to come up with four (4) colors that departments may choose from when having their offices repainted. There was consensus to have Mr. Levesque form the committee.

d) DISCUSSION CONCERNING CHANGE ORDER #1 TO CONTRACT #3903 WITH A&E SECURITY AND ELECTRONIC SOLUTIONS FOR INSTALLATION OF THE TILLAMOOK CIRCUIT COURT SECURITY SYSTEM: Mr. Levesque said this is a Change Order to a Contract with A&E Security for the installation of the electronic security lock system to the Courts. At the last minute it was decided to add some additional secure doors. The Change Order is to accommodate this. This item will be brought forward to Wednesday.

e) DISCUSSION CONCERNING A CONTRACT FOR GOODS WITH CLATSOP ELECTRIC FOR ELECTRICAL MATERIALS FOR THE TILLAMOOK COUNTY FAIRGROUNDS GRANDSTAND PROJECT: Mr. Levesque said that this is a Contract for electrical materials for the grandstand project. Doug Doyle is donating all labor. This will be brought forward to Wednesday.

OTHER: Mr. Levesque said that he was pleased to announce that the structural steel for the grandstands arrived this morning at the Fairgrounds.

ITEM NO. 12: BOARD OF COUNTY COMMISSIONERS' OFFICE ADMINISTRATIVE MATTERS: a) DISCUSSION CONCERNING REQUEST MADE BY THE BOARD OF COMMISSIONERS TO CONFIRM THE PUBLIC MEETING REQUIREMENTS OF THE FISHERMAN ADVISORY COMMITTEE FOR TILLAMOOK (FACT): Vice-Chair Josi confirmed that FACT has to abide by the Public Meeting Requirements.

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UNSCHEDULED: Senator Johnson said that she has been notified by the Governor's office that they are working on a task force for County payments. Commissioner Labhart is on that task force. One (1) of the issues is for veterans' services and there will be some kind of task force for this issue. Commissioner Labhart said that there were rumors that this Task Force was nothing more than a rouse to raise taxes. Vice-Chair Josi asked if Senator Feroli had attended any of the meetings. Commissioner Labhart said he attended two (2) that he was aware of.

ITEM NO. 14: STAFF UPDATE/CALENDAR REVIEW & SCHEDULING/AGENDA REVIEW/SUGGESTION BOX/INTER OFFICE MATTERS: The Commissioners reviewed the Wednesday agenda. Sue Becraft said there were no suggestions in the box this week.

ITEM NO. 15: BOARD CONCERNS – NON-AGENDA ITEMS & ANNOUNCEMENTS:
There were none today.

ITEM NO. 16: PUBLIC COMMENTS: There were no public comments at this time.

There being no further business Vice-Chair Josi adjourned the meeting at 11:06 a.m.

RESPECTFULLY SUBMITTED this 19th day of May, 2008.

County Clerk: Tassi O'Neil

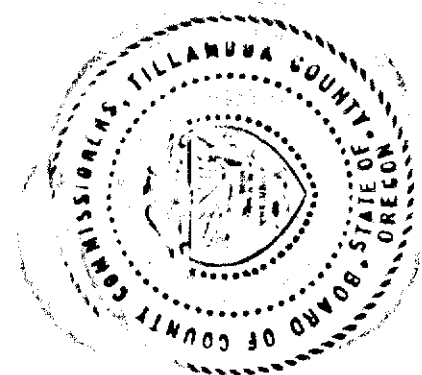
Susan L. Becraft
Susan Becraft, Recording Secretary
& Special Deputy

APPROVED BY:

[Signature]
Chair

[Signature]
Vice-Chair

[Signature]
Commissioner



NOTICE OF MEETING AND AGENDA
of the
TILLAMOOK COUNTY BOARD OF COMMISSIONERS
Also sitting as the Board of the
SOLID WASTE SERVICE DISTRICT &
THE 4-H AND EXTENSION SERVICE DISTRICT
to be held

Monday, March 31, 2008, at 9:00 a.m.

Commissioners' Meeting Room B
County Courthouse, 201 Laurel Avenue
Tillamook, Oregon

BOARD OF COMMISSIONERS

Charles J. Hurliman, Chair
E-mail: churlima@co.tillamook.or.us

Tim Josi, Vice-Chair
E-mail: tjosi@co.tillamook.or.us

Mark Labhart, Commissioner
E-mail: mlabhart@co.tillamook.or.us

201 Laurel Avenue
Tillamook, Oregon 97141
Phone: (503) 842-3403 FAX: (503) 842-1384

ANY QUESTIONS? Contact
Paul Levesque (503) 842-1809
E-mail: plevesqu@co.tillamook.or.us

COUNTY WEBSITE: <http://www.co.tillamook.or.us>

WATCH THIS MEETING ON TV: TLCTV Channel 35

Monday – 1:00 p.m.
Thursday – 1:00 p.m.
Sunday – 1:00 p.m.

Tuesday – 8:00 p.m.
Friday – 8:00 p.m.

Wednesday – 9:00 a.m.
Saturday – 9:00 a.m.

NOTE: The Board of Commissioners reserves the right to recess to Executive Session as may be required at any time during this meeting, pursuant to ORS 192.660(1).

NOTE: The Tillamook County Courthouse is accessible to persons with disabilities. If special accommodations are needed for persons with hearing, visual or manual impairments who wish to participate in the meeting, please contact (503) 842-3403 at least 24 hours prior to the meeting so that the appropriate communications assistance can be arranged.

CALL TO ORDER: Monday, March 31, 2008 9:00 a.m.

BOARD OF COMMISSIONERS

1. Public Comment – Non-Agenda Items – Request to Sign Guest List
2. Discussion Concerning an Order In the Matter of Declaring County-Owned Property as Surplus and Directing that a 1987 Chevrolet Ambulance be Transferred to the Clatsop County Department of Emergency Management/Gordon McGraw
3. Discussion Concerning an Order In the Matter of the Appointment of a Member to the Tillamook County Community Health Council/Curtis Hesse, M.D.
4. Discussion Concerning Sending a Response Letter to Bob Riggert, Owner of the Health Department Building, Regarding his Offer to Sell the Building and Associated Property to the County/Curtis Hesse, M.D.
5. Discussion Concerning an Order In the Matter of the Appointment of Justices of the Peace Pro Tem for One Calendar Year, January 2008 Through December 2008/Neal Lemery
6. Discussion Concerning Out-of-State Travel Request for Kari Fleisher to Attend a Commercial Appraisal Training in Kent, Washington, May 6 through May 10, 2008/Tim Lutz
7. Human Resources Update/David Dickman
8. Information Services Update/Michael Soots
 - a. Discussion Concerning Order In the Matter of Declaring County-Owned Property as Surplus and Directing that Thirty-Six (36) Pieces of Computer Equipment be Recycled
9. Public Works Update/Liane Welch
 - a. Discussion Concerning a Contract for Construction with Concrete Enterprises, Inc., for the Trask River (Johnson) Bridge Replacement Project
 - b. Discussion Concerning Local Agency Agreement #23926 with the State of Oregon Department of Transportation Through its Emergency Relief Program for the Replacement of a Damaged Culvert on South Prairie Road at Fawcett Creek
 - c. Discussion Concerning a Contract with DeMoulin Construction for Construction of a Forty By Sixty (40' x 60') Foot Pole Building at the Manzanita Transfer Station
 - d. Discussion Concerning a Request by the Public Works Director to sign the Cooperative Service Agreement & Workplan/Proposed Budget Between USDA, APHIS, Wildlife Services and Tillamook County
 - e. Discussion Concerning a Contract with Brian Werner Construction, Inc., for the Construction of a Concrete Retaining Wall at the Manzanita Transfer Station
10. Community Development Update/Bill Campbell
 - a. Permit Report
 - b. Sanitation Report
 - c. Discussion Concerning an Order In the Matter of Establishing a GIS Subscription Program for County Departments, Cities, Special Districts, Local Non-Profit Organizations and Local Private Sector Businesses; and Adopting the Fee Schedule (Attachment A)
11. Facilities, Fleet and Contracts Director Update/Paul Levesque

- a. Discussion and Consideration of a Recommendation to the Oregon Geographic Names Board Concerning a Request to Rename "Daley Lake Creek" to "Winema Creek"
 - b. Discussion and Consideration Concerning County Department Move to TLC Federal Credit Union
 - c. Discussion Concerning Paint Colors in the Courthouse
 - d. Discussion Concerning Change Order #1 to Contract #3903 With A&E Security and Electronic Solutions for Installation of the Tillamook Circuit Court Security System
 - e. Discussion Concerning a Contract for Goods with Clatsop Electric for Electrical Materials for the Tillamook County Fairgrounds Grandstand Project
12. Board of County Commissioners' Office Administrative Matters/Aaron Palter
 - a. Discussion Concerning a Request Made by the Board of Commissioners to Confirm the Public Meeting Requirements of the Fisherman Advisory Committee for Tillamook (FACT)
 13. Discussion Concerning Financial Audit and Title III Funds Distributed to the Sheriff's Office for the Half-Time Forest Deputy/Charles Hurliman
 14. Staff Update/Calendar Review & Scheduling/Agenda Review/Suggestion Box/Inter-Office Matters/Sue Becraft
 15. Board Concerns – Non-Agenda Items & Announcements
 16. Public Comments
 17. Executive Session Pursuant to ORS 192.660(2)(h) to Consult with Legal Counsel Concerning the Legal Rights and Duties of a Public Body with Regard to Current Litigation or Litigation Likely to be Filed

ADJOURNMENT

BOARD MEETINGS AND ANNOUNCEMENTS

The Commissioners will hold an Executive Session pursuant to ORS 192.660(2)(i) to conduct a performance evaluation of a staff member on **Monday, March 31, 2008 at 8:30 a.m.** in the Commissioners' Meeting Room A at the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook. The Executive Session is not open to the public.

The Commissioners will hold an Executive Session pursuant to ORS 192.660(2)(h) to consult with legal counsel on **Monday, March 31, 2008 at 11:00 a.m.** in the Commissioners' Meeting Room B at the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook. The Executive Session is not open to the public.

The Commissioners will interview applicants for the Library Board on **Wednesday, April 2, 2008** beginning at **2:00 a.m.** in the Commissioners' Meeting Room B at the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook.

The Commissioners will hold an Executive Session pursuant to ORS 192.660(2)(i) to conduct a performance evaluation of a staff member on **Monday, April 7, 2008 at 8:00 a.m.** in the Commissioners' Meeting Room A at the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook. The Executive Session is not open to the public.

The Commissioners will hold a public meeting with County Departments for discussion and guidance regarding the 2008-09 Budget. The meeting will be held on **Wednesday, April 9, 2008** at **3:00 p.m.** in the Commissioners' Meeting Room of the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook.

The Commissioners and the County's Budget Officer will hold public Budget Committee Workshops to hear presentations from County Departments and Non-Department Agencies regarding their 2008-09 Budget requests. The Workshops will be held on **Tuesday, April 15, 2008** at **1:00 p.m.**; **Wednesday, April 16, 2008** at **1:00 p.m.**; **Thursday, April 17, 2008** at **1:00 p.m.** and **Friday, April 18, 2008** at **9:00 a.m.** in the Commissioners' Meeting Room of the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook.

The Commissioners and the Tillamook County 4-H & Extension Service District's Budget Officer will be holding the Tillamook County 4-H & Extension Service District Budget Meeting on **Monday, April 21, 2008** from **1:30 p.m.** to **2:30 p.m.** in the Commissioners Conference Room B in the Courthouse, 201 Laurel Avenue, Tillamook.

The Commissioners' evening meeting schedule is as follows:

April 16, 2008
May 29, 2008

Manzanita City Hall
Cape Kiwanda Community Center
(previously scheduled on May 21)

All evening meetings will begin at 6:30 p.m.

**BOARD OF COMMISSIONERS'
STAFF MEETING**

Monday, March 31, 2008

PLEASE PRINT

Name Address Item of Interest

JOHN GETTMAN

All

CURTIS HESSE

HEALTH DEPT

#3, #4

Gus Meyer

General

GORDON McCRAW

TCSO

DISPOSAL ORDER

Dave Dickman

H. R.

Michael Soots

I. S.

Dave Barbours

Community Develop

10C

Jennifer Purcell

Solid Waste

Kane Welch

Public Works

Paul Campbell

Treas

#10

Neal Lemery

Justice Court

#5

Karen Dr

Treas

(Please use reverse if necessary)

DRAFT

March 31, 2008

Robert W. Riggert
P.O. Box 730
Tillamook, OR 97141

Re: Sale Offer of Building and Associated Property for Health Department Facility

Dear Mr. Riggert:

We wish to acknowledge and formally respond to your offer of some months ago to sell the building and associated property currently being used by the Tillamook County Health Department to house its health care services. Your offer with its suggested terms appeared reasonable and generous and it is likely that in most circumstances we would have been able to come to a final accommodation. But as you know the Health Department has had significant financial challenges over recent years and though a recovery appears underway it is still tentative. Additional medical providers have come on board in support of Dr. Betlinski with resultant increased revenues but with the Health Department providing our local community members with over \$700,000 annually in un-reimbursed health care services, it does not have the resources at this time for the County to take advantage of your offer.

Additional need issues were identified by the Health Department administration and the Tillamook County Community Health Council which provides management oversight. These issues included: 1. The critical need to reunite Administration, Environmental Health and Public Health with Clinical Health Center services. It is understood that this issue has been previously discussed with you. If this reuniting could not be accomplished in a single building it would need to be done by locating the units in adjacent buildings in close proximity. This need also relates to having generated electricity for full function capacity of all health service units during emergency management situations; 2. The increased mortgage obligation of approximately \$1,000 per month was a difficult challenge with the current financial status and condition of the Department; and 3. There are concerns that in addition to the additional monthly mortgage obligation, that the building and surrounding property upkeep and maintenance would be a further insupportable expense and one that would increase substantially as the building underwent further aging.

In light of the substantial service and support that the Health Department provides the communities of Tillamook County as their health care safety net provider, it is possible that a benefactor or grant may yet be located. Should this occur and the Health Department secures the necessary resources, we would want to again look at this potential but highly critical long-term solution to our local health care needs.

Thank you again for your offer and the benevolent thought behind that offer. It is hoped that conditions may yet allow this project to come to fruition.

With regards,

**REQUEST FOR PROPERTY
DISPOSAL ORDER**

Monday, March 31, 2008

We are requesting approval to transfer our oldest communications van to Clatsop County Sheriff's Office. The vehicle is a 1987 Ambulance that was donated to Tillamook County from Tillamook Hospital 8 years ago. The VAN would be transferred at no cost in as-is condition. We no longer need this vehicle and we have a similar, newer model van and the van in question was not being used and was in poor working condition. Clatsop County Emergency Management does not have a van like this for use during emergencies or other significant hazard events and indicate they would very much like this vehicle and are willing to spend the money to bring the van into good condition. The transfer has been verbally approved by Sheriff Anderson and has been discussed previously with the Commissioners. The above van was loaned to them during the December Storm event and they are awaiting formal approval and title transfer so that they can begin upgrading the van before the next significant event. It is for these reasons that we are requesting immediate approval and transfer of the title at this time.

Description: 1987 Chevrolet Ambulance License Number E206866 and the VIN Number is: 1FDKE30L2HHA92839

Sanitation Permit Intake: Feb 28th, 2008- Mar 27th, 2008

Week	Permit #	Type	rec'd	field	approved	reason held
02/28-03/05	08-0629-S	Final Inspection	02/29	03/07	03/12	
	08-0740-S	Authorization Notice	03/03	03/14	03/17	
	07-4580-S	Final Inspection	03/05	03/05	*	as-built-mat list
	08-0441-S	Final Inspection	03/05	03/06	03/06	
	08-0794-S	Tank Replacement	03/05	03/18	03/20	Rockaway sign-off
	08-0795-S	Tank Replacement	03/05	03/06	03/07	
	08-0796-S	Tank Replacement	03/05	03/07	03/07	
03/06-03/12	08-0513-S	Final Inspection	03/06	03/06	03/06	
	08-0815-S	Permit to Construct	03/07	03/12	03/12	
	08-0843-S	Permit to Construct	03/10	03/14	03/17	
	08-0844-S	Permit to Construct	03/10	03/20	03/20	
03/13-03/19	06-4657-S	Final Inspection	03/12	03/13	03/13	
	08-0796-S	Final Inspection	03/13	03/14	03/14	
03/20-03/26	08-0952-S	Tank Replacement	03/18	03/18	03/18	
	08-0971-S	Tank Replacement	03/20	03/26	03/26	
	08-0973-S	Major Repair	03/20	03/21	03/26	

Sanitation Permit Intake: Jan 31st, 2008- Feb 27th, 2008

Week	Permit #	Type	rec'd	field	approved	reason held
01/31-02/06						
02/07-02/13	08-0441-S	Major Repair	02/08	02/13	03/04	no test pit
	08-0439-S	Tank Replacement	02/08	01/22	02/14	
	06-2804-S	Final Inspection	02/11	02/13	02/13	
	07-3020-S	Final Inspection	02/11	02/13	02/13	
	07-3721-S	Final Inspection	02/12	02/13	02/13	
	08-0511-S	Tank Replacement	02/13	02/13	02/14	
	08-0513-S	Permit to Construct	02/13	02/21	02/22	
	08-0512-S	Permit to Construct	02/13	02/14	03/18	*geohazard

02/14-02/20	08-0568-S	Site Evaluation	02/19	02/21	02/22	
	08-0095-S	Partial Inspection	02/19	02/21	02/22	*tank not installed yet
	08-0573-S	Permit to Construct	02/19	03/05	03/26	*Lucs
	08-0557-S	Authorization Notice	02/19	03/06	03/18	
	08-0587-S	Major Repair	02/20	03/14	03/17	*waiting for test holes
	08-0591-S	Site Evaluation	02/20	02/21	02/22	
02/21-02/27	08-0764-S	Permit to Construct	02/21	01/25	03/06	
	07-3726-S	Final Inspection	02/22	02/25		*as-built/mat list
	08-0628-S	Tank Replacement	02/22	02/28	02/29	
	08-0629-S	Tank Replacement	02/22	02/27	02/29	
	08-0630-S	Site Evaluation	02/22	01/25	02/28	
	08-0627-S	Permit to Construct	02/22	02/22	02/27	
	08-0266-S	Final Inspection	02/25	02/27	02/27	
	08-0661-S	Permit to Construct	02/25	02/27	03/04	
	07-1481-S	Final Inspection	02/25	02/26	02/27	
	08-0666-S	Authorization Notice	02/25	03/03	03/07	
	08-0695-S	Authorization Notice	02/27	02/29	03/04	
	08-0696-S	Tank Replacement	02/27	02/29	03/18	*AN process

3/27/2008

Dept. of Community Development - Building Section

Week Ending	Plan Review	Structural Inspections	Mechanical Inspections	M.D. insp.	Mileage for Inspectors	Electrical Inspections	Plumbing Inspections	Investigate Proj. check	Citations Issued	Stop Work Orders	Court Hours
02/27/08	10	51	39	2	995	64	37	0	0	0	0
03/05/08	25	62	18	5	955	31	25	0	0	0	0
03/12/08	12	77	39	1	945	67	38	0	0	0	0
03/19/08	18	76	35	0	1119	76	36	1	0	0	0
03/26/08	16	63	23	2	873	51	32	0	0	0	0
04/02/08											
04/09/08											
04/16/08											
04/23/08											
04/30/08											
Total											
YTD	157	808	292	16	11953	625	401	12	0	1	0

Tillamook County



Land of Cheese, Trees and Ocean Breeze

201 Laurel Avenue
Tillamook, Oregon 97141

Tillamook County Commissioners
Charles Hurliman, Tim Josi, Mark Labhart
503-842-3403
FAX 842-1384
TTY Oregon Relay Service

April 2, 2008

ODOT Transportation Enhancement Program
355 Capitol Street NE
Room 326
Salem, Oregon 97301-3871

To Whom It May Concern:

Please accept this letter as our formal support for the grant application before you from the Oregon Coast Scenic Railroad. The Oregon Coast Scenic Railroad is an organization which provides a very important historical service for the community in Tillamook County.


The Oregon Coast Scenic Railroad has embarked on an ambitious plan to construct a Collection Restoration Facility where they can: Educate the public about the influence of railroads in Oregon by displaying historical railroad equipment and exhibits; restore historical artifacts to their original specifications; and offer visitors the chance to see the process and historical machinery utilized to repair railroad equipment in the past, among other things. This facility will be built on land owned by the Port of Tillamook Bay, at its 1600 acre industrial park, at the former Navy/Air base directly south of Tillamook, Oregon. The Port fully supports this project by the Oregon Coast Scenic Railroad.

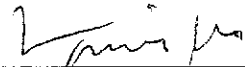
It is our understanding the Oregon Coast Scenic Railroad is requesting a \$1,600,000 grant for the construction of this facility where \$440,000 in matching funds are available for the project.

We request your consideration to fund a grant for the Oregon Coast Scenic Railroad in its construction of a Collection Restoration Facility.

Sincerely,

**BOARD OF COMMISSIONERS FOR
TILLAMOOK COUNTY, OREGON**


Charles J. Hurliman, Chairperson


Tim Josi, Vice Chairperson


Mark Labhart, Commissioner

AN EQUAL OPPORTUNITY EMPLOYER



Domestic Geographic Name Report

Action Requested:

- Proposed New Name
- Application Change
- Name Change
- Other
-

Recommended Name: Winema Creek

State: OR

County: Tillamook

Administrative Area: private land (Winema Christian Camp)

Specific Area Covered

- Mouth
- End
- Center

Latitude: 45° 08' 30" N

Longitude: 123° 58' 35" W

- Heading
- End

Latitude: ° ' " N

Longitude: ° ' " W

Section(s) 13 Township(s) 5S Range(s) 11W Willamette Meridian

Elevation ___ feet/meters

Type of Feature (stream, mountain, populated place, etc.): stream

Is the feature identified (including other names) in the Geographic Names Information System (GNIS)?

Yes No Unknown

If yes, please indicate how it is listed:

Description of Feature (physical shape, length, width, direction of flow, etc.):

The creek flows generally in a westward direction from Winema Lake to the Pacific Ocean, a distance of approximately one-quarter mile.

<i>Maps and Other Sources Using Recommended Name (include scale and date)</i>	<i>Other Names (variants)</i>	<i>Maps and Other Sources Using Other Names or Applications (include scale and date)</i>
None	Dailey Lake Creek	State of Oregon Stream Listings

Name Information (such as origin, meaning of the recommended name, historical significance, biographical data (if commemorative), nature of usage or application, or any other pertinent information): The logical name for the creek is "Winema Creek" because its source is Winema Lake. Winema Lake is well documented in the decision of the U.S. Board Domestic Names Committee. The origin and background also apply to the creek.

Is the recommended name in local usage?

Yes

No

If yes, for approximately how many years?

Is there local opposition to, or conflict, with the recommended name (as located)? No opposition

For proposed new name, please provide evidence that feature is unnamed: Not listed by any other name in the GNIS. The state of Oregon Water Resources Department lists the creek under the name "Daley Lake Creek", a name applied because Winema Lake was once known as Daley Lake.

Additional information: This naming action was suggested by the U.S. Board Domestic Names Committee to assign an official name to the creek to be consistent with the official name of its source, Winema Lake.

Copy Submitted By: Everett J. Payton

Company or Agency: Winema Christian Camp

Title: Board of Directors

Address (City, State, and ZIPCode):

*P.O. Box 486,
Pacific City, OR 97135*

Telephone (day): 503-965-6962

Date: 2008

Copy Prepared By (if other than above):

Company or Agency:

Title:

Address (City, State, and ZIPCode):

Phone (day):

Date:

Authority for Recommended Name:

Mailing Address:

Telephone:

Occupation:

Years in Area:

DNR rec'd: Feb 2008

RESEARCH:



- lat/lon at heading (outlet from lake):
Latitude: 45° 08' 31.07" N
Longitude: 123° 58' 17.06" W
- elevation: 16' at outlet from Winema Lake, 3' at mouth
- USGS topo: Nestucca Bay, 45123-BB-TF-024, 1985
- lat/lon at mouth seems to vary between the topo @
Latitude: 45° 08' 31.02" N
Longitude: 123° 58' 31.39" W

and the aerial @

Latitude: 45° 08' 30.40 N
Longitude: 123° 58' 35.14" W

- Public Ownership of Submerged and Submersible Land Tidally-Influenced Waterways contains below listing:

Tillamook

Daley Lake Creek
T5S-R11W Sec. 13

(website <http://www.oregon.gov/DSL/NAV/tidally.shtml>)

- **U.S. Board on Geographic Names
Domestic Names Committee
Six Hundred Ninety-fourth Meeting
Department of the Interior, Washington, D.C., Room 2642
December 13, 2007 - 9:30 a.m.**

"3.6 Daley Lake vs. Winema Lake, Oregon In May 2005, the DNC rejected a proposal to change officially the name of Daley Lake to Winema Lake for a lake in Tillamook County, Oregon. Although the proposal had the support of the County government and the Oregon Geographic Names Board (OGNB), the DNC members voted 8-6 not to eliminate a long-standing name that is presumed to be

commemorative. The members once again reviewed the evidence, including new letters provided by the proponent and the OGNB, and suggested there seemed to be a stronger argument for the change than last time. It was noted that there was evidence that the proposed name had been used locally since the 1940's and therefore it was not truly a new name. A motion was made and seconded to approve the proposal.

Vote: 7 in favor
3 against
0 abstentions

The negative votes were cast in the belief that there was still no compelling reason to eliminate a commemorative and historical name. The members also asked that the OGNB contact the proponent to suggest that a proposal be submitted to change Daley Lake Creek to Winema Lake Creek or Winema Creek."

