

**MINUTES – TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING**  
**Monday, August 4, 2008**  
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**COMMISSIONERS PRESENT:**

Charles J. Hurliman, Chair  
Tim Josi, Vice-Chair  
Mark Labhart, Commissioner

**FILED**

4. Sep  
SEP 05 2008  
DB

TASSI O'NEIL  
COUNTY CLERK

**STAFF PRESENT:**

Paul Levesque, Facilities, Fleet and  
Contracts Director

**STAFF PRESENT FOR PORTIONS OF THE MEETING:** Susan Becraft, Board Assistant; Liane Welch, Director, Public Works; Curtis Hesse, Administrator, Health Department; James Becraft, Health Department and Karen Dye, Treasurer.

**GUESTS:** Kathy Norris, Gus Meyer, John Gettman, Ron Young, Walt Hutton, Pam Zielinski, Tara Kottre and Darryl Carter.

**CALL TO ORDER:** By Chair Hurliman at 9:00 a.m. in Commissioners' Meeting Room B.

**ITEM NO. 1: PUBLIC COMMENTS – NON-AGENDA ITEMS – REQUEST TO SIGN**

**GUEST LIST:** Chair Hurliman welcomed everyone and reminded them to sign the guest list. There were no public comments at this time.

**ITEM NO. 2: PUBLIC WORKS UPDATE: a) DISCUSSION AND CONSIDERATION OF COST SHARE AGREEMENT (#011-8204-IGA-FISH) WITH OREGON DEPARTMENT OF FISH AND WILDLIFE FOR INSTALLATION OF CULVERT AND TIDEGATE ON FRASER ROAD TO PROVIDE FISH PASSAGE:**

Liane Welch said we are installing a culvert and cost sharing a tidegate with a number of parties. This provides the Oregon Department of Fish and Wildlife's share.

Commissioner Labhart made a motion to approve and authorize Liane Welch to sign the Cost Share Agreement (#011-8204-IGA-FISH) with the Oregon Department of Fish and Wildlife for installation of a culvert and tidegate on Fraser Road to provide fish passage. Vice-Chair Josi seconded the motion. The motion carried with three (3) aye votes.

Ms. Welch said asphalt went from Forty-Nine (\$49) Dollars per ton to Seventy-One (\$71) Dollars per ton this week. They are buying asphalt for the little paving that was scheduled in the budget.

Ms. Welch distributed the County's list of its ninety-six (96) bridges: thirty-five (35) are timber. They will begin two (2) year inspections this month. All thirty-five (35) timber bridges are obsolete. Our highest priority is Whalen Island Bridge. They have

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contacted State Parks for assistance. The Wyss Bridge will be reconstructed under the STIP HBR One Million (\$1,000,000) Dollar program. Salmonberry is also critical to us. She asked for authority to move forward on Wyss Bridge.

Chair Hurliman was concerned that we deal with them on a priority. Ms. Welch said they were. He was concerned with Hushbeck Bridge even though we have done recent maintenance. We will have our match for Wyss Bridge by 2010.

**TAKEN OUT OF ORDER ITEM NO. 4: HUMAN RESOURCES UPDATE:** David Dickman said they are close to implementing the ABRA computer program and are receiving training. This will not go live until they have two (2) months of payroll. He said the loading of data was a good exercise because they found thirty-five (35) employees with different Social Security Numbers. They will do an annual update. They will be able to do much better modeling and reporting. Karen Dye hoped it would not corrupt the MIP system. Mr. Dickman said they have defaulted to MIP. They are under budget.

Mr. Dickman said they have resolved the Union issue with Public Works layoffs.

**a) DISCUSSION CONCERNING TILLAMOOK COUNTY'S SMOKING ORDINANCE:**

Mr. Dickman said Tim Lutz had raised issues with smoke infiltration. One (1) employee is on an inhaler. He spoke about the Ordinance, but there is no policy.

Mr. Lutz said it was a health issue. Vice-Chair Josi agreed. There was a discussion of options that would accommodate smokers and non-smokers. Mr. Dickman said he could ban it on Courthouse property by policy. Chair Hurliman and Vice-Chair Josi thought it should go to the Management Round Table. Commissioner Labhart thought we should put up a sign asking there be no smoking on the Courthouse steps and set a Round Table. Everyone agreed.

**ITEM NO. 5: FACILITIES, FLEET AND CONTRACTS DIRECTOR UPDATE: a) DISCUSSION AND CONSIDERATION OF CONTRACT TO RENEW PATRON ACCESS WITH THOMPSON WEST FOR THE LAW LIBRARY:** Paul Levesque outlined the County's migration from print media to data over the last few decades. A number of Reporters were recently moved to the County Library. This is a renewal of an existing Contract.

Vice-Chair Josi made a motion to approve and sign the Contract to renew patron access with Thomson West for the Law Library. Commissioner Labhart seconded the motion. The motion carried with three (3) aye votes. Chair Hurliman signed the Contract.

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**b) DISCUSSION AND CONSIDERATION OF CHANGE ORDER #4 TO DESIGN/BUILD CONTRACT WITH DONALD W. THOMPSON, INC. FOR THE TILLAMOOK COUNTY FAIRGROUNDS GRANDSTAND:** Mr. Levesque said this wraps up the final odds and ends with the Contract for the general contractor who finished up last Thursday. They expect to receive an occupancy permit today. The Commissioners complimented Mr. Levesque on his project management.

Vice-Chair Josi made a motion to approve and sign Change Order #4 to the Design/Build Contract with Donald W. Thompson, Inc. for the Tillamook County Fairgrounds Grandstand. Commissioner Labhart seconded the motion. The motion carried with three (3) aye votes. The Commissioners signed the Change Order.

Chair Hurliman recessed the meeting at 9:35 a.m. and reconvened the meeting at 9:47 a.m.

**ITEM NO. 3: COMMUNITY DEVELOPMENT UPDATE: a) PERMIT REPORT:** Butch Parker said plan reviews keep increasing. Permits are staying level.

**b) SANITATION REPORT:** Mr. Parker said nine (9) were filed last week. There is no decline in the numbers.

**c) DISCUSSION CONCERNING REGULATING SECOND HOME/VACATION RENTALS:** Mr. Parker said we can do a County-wide Ordinance. We have community plans that can be unique Ordinances. A County-wide Ordinance would require revisiting community plans. If a transient room tax is proposed, we would have to look at vacation rentals and Bed and Breakfasts. Mr. Parker spoke about possible enforcement issues. He said you could impose a tax solely on short term rentals but not on motels and Bed and Breakfasts. Mr. Parker outlined a process for community review of four to five (4 - 5) months.

Commissioner Labhart provided background on the matter and referred to the August 8, 2007 minutes. No action was taken at that time.

Counsel Sargent outlined the process since 2004. He said if the County said no short term rentals we would have a Measure 49 Claim. But we also would have the non-conforming use issue.

Vice-Chair Josi said even if we banned short term rentals, existing ones could continue as a non-conforming use. Counsel Sargent agreed, adding that a waiver might also be permitted under Measure 49. He said Measure 49 does not apply for public health and safety. He did not think a fee would violate Measure 49.

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Chair Hurliman felt a narrower scope of Ordinance could succeed. He wanted to provide staff with direction.

Pam Zielinski said some communities have CC&R's that prohibit vacation rentals so people who object could move there. She didn't think regulation of parking, noise, etc. would be unreasonable.

Tara Kottre didn't feel you could deny someone rights by taking away their right to such an activity, but regulations would be reasonable.

Darryl Carter distributed copies of the community plan for Neah-Kah-Nie approved in 1997. No. 2 excludes hotels and motels. They went through a lot of work to develop this. He outlined why a vacation rental was a motel. The Board has never defined what a single family residence was.

Mr. Carter described what other communities do. We can't get rid of them. He listed a number of Cities that do not allow them in single family zones. He would have Bill and Canessa work on suggestions of what could be done.

Walt Hutton has nine (9) rentals around his house. We need rules and regulations such as number of cars and dogs. He described how much money you can raise by taxing.

Kathie Norris, Oceanside, said when she first bought, it was a residential neighborhood. Now eighty (80%) percent are rental units. She suggested a tax. She knows they can't be banned, but felt revenue coming back to the community to support roads was good. She described issues with vacation rentals. She encouraged the Board to explore the degree of regulation and opportunity.

Ms. Kottre didn't want people stopped from renting.

Ron Young is on both sides. He lives in Terra Sea, but has a vacation rental in Oceanside. He said lack of management is the problem with parking and related issues. He said the Oregon Coast historically has been transient. Mr. Young said regulations could be enacted to ensure a twenty-four (24) hour contact transient registration, information to transients about parking, safety inspections, insurance, association membership, occupancy determined by bedrooms and garbage service.

Commissioner Labhart said it is a County issue. We have been dealing with it for four (4) years. We should have taken action after Measure 49 passed. He wanted staff to come up with a local opinion as to what can be done under Measure 49.

DRAFT:11-17-97

# NEAHKAHNIE COMMUNITY PLAN

COMPLETION OF PERIODIC REVIEW  
WORK TASK 6. A. 2.

COMPLIANCE WITH RURAL COMMUNITIES  
RULES OAR DIVISION 22

## NEAHKAHNIE COMMUNITY POLICIES

- (1) Neahkahnie is designated as a "rural community" in accord with the State Unincorporated Communities Rule (OAR 660-22).
- (2) Permitted land uses in Neahkahnie are limited to those that are suited for a coastal community that wishes to maintain a primarily residential character. For Neahkahnie this expressly excludes hotels and motels.
- (3) Neahkahnie will maintain its three NK zones which provide for relatively low density, single-family, urban residential development and other compatible uses. The differences in these zoning designations are provision for three different minimum lot sizes of 7,500, 15,00 and 30,000 square feet based upon varying physical constraints within the community.
- (4) The Neahkahnie Drainage Enhancement Area (Beaver Pond) special zoning shall be maintained to assure continued protection of the wetland, drainage, wildlife, and open space amenities intrinsic to that area.
- (5) Building height regulations shall be maintained which assure equity and predictability in obtaining ocean views where available.
- (6) Utility lines shall be placed underground for new subdivisions and planned developments.
- (7) Riparian setbacks along streams shall be maintained to protect riparian values.
- (8) Neahkahnie citizens will continue to have opportunities to participate in land use decisions that affect their community. Notice of decisions that affect Neahkahnie will be mailed to any designated planning group as well as to the normal notice area.
- (9) Any road, excepting Nehalem Road, that connects Highway 101 to Beulah Reed Road shall be limited to emergency access at some point to prevent the through flow of traffic except for emergency purposes.

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Vice-Chair Josi said under health and safety we need to initiate rules and regulations along the line outlined by Mr. Young. We have to grandfather the existing, but the rules would apply to all. A fee should apply. He liked limiting short-term rentals in residential areas to be decided by the community. There was discussion about how that would be done. Mr. Parker reiterated the Citizen Planning Advisory Committee (CPAC) process. Vice-Chair Josi said regulations would be County-wide. CPACs would decide on restrictions.

There was a question about a transient lodging tax. Commissioner Labhart said we should first get the legal opinion before proceeding much further. Vice-Chair Josi said Counsel Sargent should start with Mr. Young's regulations. Counsel Sargent said he thought this could be done. Vice-Chair Josi felt it should be a time certain. Counsel Sargent was also asked to look at limiting new short term rentals as to how that could be done. Mr. Young felt that problems were with existing ones. Counsel Sargent said he could have it done by September 22. Staff will look at the fee issue if the rules and regulations are legal.

**ITEM NO. 6: STAFF UPDATE/CALENDAR REVIEW & SCHEDULING/AGENDA REVIEW/SUGGESTION BOX/INTER OFFICE MATTERS:** Sue Becraft said there is no agenda and no suggestions in the Suggestion Box.

The Headlight Herald wants us to pay for an ad on emergency preparedness. Ms. Becraft will check with Emergency Management.

Ms. Becraft distributed Mona Hamblen's e-mail about the cost of a new ice maker for the break room (see attached). Chair Hurliman discouraged any spending out of facilities. Commissioner Labhart agreed.

**ITEM NO. 7: BOARD CONCERNS – NON-AGENDA ITEMS & ANNOUNCEMENTS:** There were none today.

**ITEM NO. 8: PUBLIC COMMENTS:** There were no public comments today.

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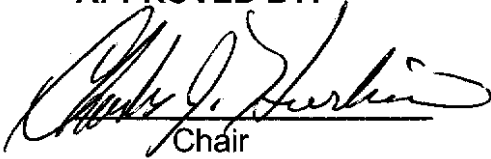
There being no further business, Chair Hurliman adjourned the meeting at 11:05 a.m.

**RESPECTFULLY SUBMITTED** this \_\_\_\_ day of \_\_\_\_\_, 2008.

County Clerk: Tassi O'Neil

\_\_\_\_\_  
Susan Becraft, Recording Secretary  
& Special Deputy

**APPROVED BY:**

  
\_\_\_\_\_  
Chair

  
\_\_\_\_\_  
Vice-Chair

  
\_\_\_\_\_  
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, August 4, 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](mailto:churlima@co.tillamook.or.us)

Tim Josi, Vice-Chair  
E-mail: [tjosi@co.tillamook.or.us](mailto:tjosi@co.tillamook.or.us)

Mark Labhart, Commissioner  
E-mail: [mlabhart@co.tillamook.or.us](mailto: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](mailto: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, August 4, 2008 9:00 a.m.**

**BOARD OF COMMISSIONERS**

1. Public Comment – Non-Agenda Items – Request to Sign Guest List
2. Public Works Update/Liane Welch
  - a. Discussion and Consideration of Cost Share Agreement (#011-8204-IGA-FISH) with Oregon Department of Fish and Wildlife for Installation of Culvert and Tidegate on Fraser Road to Provide Fish Passage
3. Community Development Update/Butch Parker
  - a. Permit Report
  - b. Sanitation Report
  - c. Discussion Concerning Regulating Second Home/Vacation Rentals
4. Human Resources Update/David Dickman
  - a. Discussion Concerning Tillamook County's Smoking Ordinance/Tim Lutz
5. Facilities, Fleet and Contracts Director Update/Paul Levesque
  - a. Discussion and Consideration of Contract to Renew Patron Access with Thompson West for the Law Library
  - b. Discussion and Consideration of Change Order #4 to Design/Build Contract with Donald W. Thompson, Inc. for the Tillamook County Fairgrounds Grandstand/Paul Levesque
6. Staff Update/Calendar Review & Scheduling/Agenda Review/Suggestion Box/Inter-Office Matters/Sue Becraft
7. Board Concerns – Non-Agenda Items & Announcements
8. Public Comments

**ADJOURNMENT**

**BOARD MEETINGS AND ANNOUNCEMENTS**

The Commissioners **will not hold a meeting** on **Wednesday, August 6, 2008** in order to participate in activities and events at the Tillamook County Fair.

Commissioners' Staff Meetings are held on Monday except for the second week each month when it is held on Tuesday. The second Tuesday, Staff Meeting schedule for the remainder of 2008 is:

- August 12
- September 9
- October 14
- November 11 – No meeting (Veterans Day)
- December 9

**BOARD OF COMMISSIONERS'  
STAFF MEETING**

**Monday, August 4, 2008**

PLEASE PRINT

Name

Address

Item of Interest

KATHIE NORRIS

PO BOX 215, OCEANSIDE, OR 97134

VACATION RENTALS

Gus Meyer

General

JOHN GETTMAN

All

Steve Welch

P.W.

CURTIS HESSE

HEALTH

\* 4

JAMES BECRAFT

"

RON YOUNG

620 Ridgewood Rd

Rentals

Walt Felt

PO BOX 624

Rentals

Kuentze

Treas

Jim Zilinski

PO B 193

Oceanside

Rentals

Jara Koss

1800 Hillside Dr

Tillamook.

(Please use reverse if necessary)

## TILLAMOOK COUNTY BRIDGE INVENTORY

BRIDGE NAME	CO BRIDGE	STATE BRIDGE	ROAD NAME	M.P.	ROAD #	DIST	YR BLT	LGTH	INTERSECTED FEATURE
LAGLER (aka BARBER)	101	57C08	BARBER RD	0.02	500	1	1965	17	NO NAME CK
SCOVELL	102	00633A	N. FORK NEHALEM RD	4.71	504	1	1987	187	N. FK. NEHALEM RVR
COAL CREEK	103	57C10	N. FORK NEHALEM RD	2.72	504	1	1968	71	COAL CK
MCDONALD DIKE (57C11)	104	11272A	MCDONALD DIKE RD	1.14	568	1	1992	357	N. FK. NEHALEM
LOMMEN	105	01362A	MIAMI-FOLEY RD	11.57	563	1	1955	382	NEHALEM RVR
CCC	106	11279A	FOSS RD	6.52	507	1	1980	260	NEHALEM RVR
MIAMI RIVER	109	57C12	MOSS CREEK RD	0.01	564	1	1974	98	MIAMI RVR
MOSS CREEK	110	57C13	MOSS CREEK RD	0.94	564	1	1970	20	MOSS CK
KEESLING	111	57C59	NEW MIAMI RIVER RD	0.09	577	1	1978	91	MIAMI RVR
FOLEY CREEK	112	57C14	LOMMEN RD (SOUTH)	0.17	511	1	1963	97	FOLEY CK
LOMMEN OVERPASS	113	57C15	LOMMEN RD (NORTH)	0.02	511 A	1	1965	66	POTB RR
BENITEAU	114	57C16	N. FORK NEHALEM RD	1.97	504	1	1964	19	ANDERSON CK
CRONIN CK (57C03)	115	16683	FOSS RD	15.76	507	1	1984	61	CRONIN CK
SALMONBERRY	116	11280	FOSS RD	13.83	507	1	1964	206	SALMONBERRY CK
FILOSI	117	57C17	MOSS CREEK RD	0.45	564	1	1973	27	MOSS CK
EAST FOLEY CREEK	120	57C01	MIAMI-FOLEY RD	10.13	563	1	1971	63	EAST FOLEY CK
MINICH CREEK	122	57C04	MIAMI-FOLEY RD	2.43	563	1	1963	19	MINICH CK
WALDRON	123	57C05	MIAMI-FOLEY RD	4.28	563	1	1963	16	NO NAME CK
COCHRAN	125	13328A	COCHRAN RD	5.75	582	1	1981	35	NEHALEM RVR
LEUTHOLD	126	57C66	SOUTH POINT DR	0.13	553	1	1972	38	FOLEY CK
WONG	127	57C67	WEST POINT DR	0.15	554	1	1972	41	FOLEY CK
COHO	128	57C68	COHO WAY	0.18	3172	1	1977	39	FOLEY CK
RIDGE VIEW	129	57C69	RIDGE VIEW WAY	0.10	3176	1	1972	39	FOLEY CK
FAWCETT CREEK, LOWER	149	57C19A	FAWCETT CK RD	0.42	772	2	1979	48	FAWCETT CK
BOQUIST	150	57C60	BOQUIST RD	0.65	700	2	1920	100	WILSON O-FLOW
CURL	151	57C20	CURL RD	0.08	3073	2	1965	166	KILCHIS RVR
MAKINSTER	152	57C21	MAKINSTER RD	1.63	707	2	1968	21	FREEMAN SLOUGH
GOODSPEED	153	57C22	GOODSPEED RD	0.86	708	2	1960	98	HALL SLOUGH
SOLLIE SMITH	154	57C23	WILSON RIVER LP (N-S)	0.07	694	2	1974	272	WILSON RVR
DOUGHERTY	155	11340A	WILSON RIVER LP (N-S)	0.50	694	2	1952	157	DOUGHERTY SL
JOHNSON (TRASK)	156	01355A	LONG PRAIRIE RD	3.18	734	2	1952	264	TRASK RVR
TRASK RIVER, NO. FK.	157	11449A	TRASK RIVER RD	11.85	730	2	1984	182	TRASK RVR, NO.
TONE (02470)	158	17929	TILLAMOOK RIVER RD	3.35	741	2	1998	203	TRASK RVR

## TILLAMOOK COUNTY BRIDGE INVENTORY

BRIDGE NAME	CO BRIDGE	STATE BRIDGE	ROAD NAME	M.P.	ROAD #	DIST	YR BLT	L6TH	INTERSECTED FEATURE
BURTON	159	01594A	TILLAMOOK RIVER RD	2.25	741	2	1976	230	TILLAMOOK RVR
BLASER	160	19154	TILLAMOOK RIVER RD	1.07	741	2	2003	~90	TILLAMOOK RVR
TILLAMOOK RIVER (57C27)	161	18538	BEWLEY CREEK RD	0.05	753	2	1999	107	TILLAMOOK RVR
BEWLEY CREEK	162	57C28	BEWLEY CREEK RD	1.43	753	2	1965	32	BEWLEY CK
KILLAM CREEK	163	57C29	SOUTH PRAIRIE RD	2.00	765	2	1914	39	KILLAM CK
YELLOW FIR	165	57C30	YELLOW FIR RD	1.19	773	2	1965	20	TILLAMOOK RVR
FAGAN	166	57C31	BURTON-FRASER	0.13	748	2	1965	15	FAGAN CK
NEILSON	167	57C32	EKLOFF RD	1.43	749	2	1986	58	BEAVER CK
EARL	168	6550	LONG PRAIRIE RD	1.39	734	2	1942	52	MILL CK
WYSS	169	57C33	WYSS RD	0.02	746	2	1965	103	TRASK RVR
JOSI	171	57C35	KANSAS CREEK RD	0.03	664	2	1962	102	WILSON RVR
PRINCE (KIGER RD)	172	57C36	KIGER RD	0.45	698	2	1989	87	DOUGHERTY SL
FAWCETT CREEK, UPPER	173	57C37	FAWCETT CK RD	1.09	772	2	1973	47	FAWCETT CK
KILCHIS RIVER	175	00455A	ALDERBROOK LOOP	2.44	654	2	1989	188	KILCHIS RVR
TONE OVERFLOW (57C39)	178	18232	TILLAMOOK RIVER RD	3.46	741	2	1998	72	TRASK RVR O-FLOW
TRASK RIVER, SO. FK.	179	57C40	TRASK RIVER RD	13.17	730	2	1965	62	TRASK RVR, SO.
RICE CREEK	180	57C06	NETARTS BAY DR	0.60	790	2	1960	15	RICE CK
BURTON OVERFLOW	181	57C41	TILLAMOOK RIVER RD	2.40	741	2	1975	41	TILL. RVR O-FLOW
WHISKEY CREEK	182	57C64	WHISKEY CREEK RD	2.75	665	2	1981	49	WHISKEY CK
BEAVER CREEK	183	57C65	TILLAMOOK RIVER RD	1.38	741	2	1982	58	BEAVER CK
KANSAS CREEK	184	57C80	WILSON RIVER TOLL	0.66	664	2	1959	23	KANSAS CK
WAGNER	185	57C81	WAGNER RD	0.04	3264	2	1972	112	TRASK RVR
WILSON RIVER OVERFLOW, NORTH	186	18594	WILSON RIVER LP (N-S)	0.59	694	2	2000	155	CREEK/FLOODWAY
WILSON RIVER OVERFLOW, CENTRAL	187	18593	WILSON RIVER LP (N-S)	0.69	694	2	2000	515	CREEK/FLOODWAY
WILSON RIVER OVERFLOW, SOUTH	188	18592	WILSON RIVER LP (N-S)	0.82	694	2	2000	463	CREEK/FLOODWAY
SAND LAKE ISLAND	241	57C42	WHALEN ISLAND RD	0.10	874	3	1955	45	SAND LAKE
HOLGATE	242	57C43	EAST BEAVER CR	1.80	857	3	1965	31	EAST BEAVER CK
PARK	243	57C44	EAST BEAVER CR	3.71	857	3	1975	61	EAST BEAVER CK
OLLIE WOODS (1st)	244	11377A	BLAINE RD	0.31	858	3	1971	364	NESTUCCA RVR
SHORTY FARMER (2nd)	245	11378A	BLAINE RD	0.91	858	3	1999	208	NESTUCCA RVR
WORTHINGTON (3rd) (11379A)	246	17433	BLAINE RD	1.28	858	3	1994	282	NESTUCCA RVR
SORENSEN (4th)	247	11380A	BLAINE RD	2.48	858	3	1959	184	NESTUCCA RVR
JOHNSON (NESTUCCA) (5th)	248	11381A	BLAINE RD	3.63	858	3	1983	138	NESTUCCA RVR

## TILLAMOOK COUNTY BRIDGE INVENTORY

BRIDGE NAME	CO BRIDGE	STATE BRIDGE	ROAD NAME	M.P.	ROAD #	DIST	YR BLT	LGTH	INTERSECTED FEATURE
MAGARELL (6th)	250	01580A	BLAINE RD	4.82	858	3	1971	215	NESTUCCA RVR
BLAINE (7th)	251	11398	BLAINE RD	6.57	858	3	1960	23	MOON CK
EAST CREEK	252	57C45	MOON CREEK RD	0.35	863	3	1963	34	EAST CK
MOON CREEK (57C46)	253	17992	MOON CREEK RD	2.00	863	3	1999	114	MOON CK
BROWNING	254	57C47	POWDER CR RD	0.03	3164	3	1963	102	NESTUCCA RVR
SAND LAKE ROAD	255	57C62	SAND LAKE RD	3.99	871	3	1978	26	SAND CK
WOODS	256	01372A	FERRY STREET	12.81	871	3	1986	294	NESTUCCA RVR
PACIFIC CITY	257	11366A	PACIFIC AVE	0.12	915	3	1973	428	NESTUCCA RVR
PACIFIC CITY SLOUGH	258	11386	BROOTEN RD	4.16	887	3	1990	71	PACIFIC CITY SL
ATKINSON	259	11328A	SAND LAKE RD	5.06	871	3	1973	26	SAND CK
GALLOWAY	260		GALLOWAY RD	0.33	872	3			SAND CK
CLOVERDALE (57C49)	261	11315A	WOODS-CLOVERDALE RD	0.01	885	3	1986	300	NESTUCCA RVR
TONY CREEK	262	57C50	TONY CREEK RD	0.35	859	3	1965	20	TONY CK
HUSHBECK	263	57C51	LEARNED RD	0.02	875	3	1964	119	NO NAME SL
CEDAR CREEK	264	57C52A	CEDAR CREEK RD	0.80	883	3	1982	54	CEDAR CK
NESKOWIN	265	57C53A	SALEM AVE	0.10	955	3	1987	28	HAWK CK
PROSPECT CREEK	268	57C54	SLAB CREEK RD	1.50	982	3	1958	19	PROSPECT CK
JIM CREEK	269	57C55	SLAB CREEK RD	2.55	982	3	1958	20	JIM CK
LEWIS CREEK	270	57C56	SLAB CREEK RD	2.90	982	3	1958	19	LEWIS CK
SLOAN CREEK	271	57C57	SLAB CREEK RD	3.17	982	3	1958	19	SLOAN CK
CASON	272	57C58	CASON RD	0.01	865	3	1989	66	EAST CK
CASCADE TRACE	273	18984	CASCADE TRACE	0.11	3251	3	2002	67	SLAB CK
THREE RIVERS O-FLOW	275	17925	THREE RIVERS DR	0.05	3092	3	1995	46	THREE RVRS CK
THREE RIVERS	276	17926	THREE RIVERS DR	0.08	3092	3	1995	64	THREE RVRS CK
ROBINSON	277	57C77	EAST CREEK RD	1.79	864	3	1990	89	EAST CK
MCCONKEY	278	57C78	SAND LAKE RD	1.66	871	3	1988	34	WEST BEAVER CK
WEBER	279	57C79	WEBER RD	0.06	751	2	1989	55	SUTTON CK
BIG TROUT (57C82)	280	57C82A	BIG TROUT RD	0.28	3094	3	1994	89	THREE RVRS
BAYS CREEK	281	18027	BAYS CREEK RD	1.96	861	3	1967	60	BAYS CK
TIGER CREEK		COMPLETION PENDING	SANDLAKE RD	0.00	871	3	2004		TIGER CK

7/31/2008

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
07/16/08	16	56	19	2	1469	62	54	2	0	0	0
07/23/08	17	82	33	0	1540	81	32	10	0	0	0
07/30/08	20	60	15	2	1281	52	28	2	0	0	0
08/06/08											
08/13/08											
08/20/08											
08/27/08											
09/03/08											
09/10/08											
09/17/08											
<b>Total</b>											
<b>YTD</b>	482	2120	706	62	31229	1580	988	61	0	7	0

**Sanitation Permit Intake: July 3rd, 2008- July 30th, 2008**

Week	Permit #	Type	rec'd	field	approved	reason held
07/24-07/30	08-2361-S	Final Inspection	07/24	07/25		*pump installation
	08-2621-S	Permit to Construct	07/24	07/28	07/30	
	08-1828-S	Final Inspection	07/25	07/25	07/25	
	07-3004-S	Final Inspection	07/25	07/28	*	*as-built
	08-2647-S	Permit to Construct	07/28			
	08-2643-S	Major Alteration	07/28			
	08-2658-S	Final Inspection	07/28	07/30	07/30	
07/17-07/23	08-2372-S	Final Inspection	07/30	07/30	07/30	
	07-2798-S	Final Inspection	07/18	07/23		
	08-1767-S	Final Inspection	07/21	07/21		*as-built
	08-2576-S	Major Repair	07/21			
	08-0973-S	Final Inspection	07/22	07/22		
	08-2422-S	Final Inspection	07/22	07/24	07/28	
	08-2473-S	Final Inspection	07/22	07/23	07/30	*signature on as-built
	08-2491-S	Final Inspection	07/22	07/25	*	*as-built
	08-2594-S	Site Evaluation	07/22			
	07-4107-S	Final Inspection	07/23	07/24	07/25	
07/10-07/16	08-2468-S	Tank Replacement	07/10	07/14	07/15	
	08-2472-S	Authorization Notice	07/10	07/14	07/14	
	08-2473-S	Tank Replacement	07/10	07/15	07/15	
	08-2331-S	Final Inspection	07/10	07/14	07/15	
	08-2479-S	Site Evaluation	07/11	07/21	07/25	
	08-2491-S	Tank Replacement	07/11	07/22	07/21	
	08-2528-S	Permit to Construct	07/15	07/15	07/15	
	08-2520-S	Tank Replacement	07/15	07/18	07/21	
	08-2513-S	Permit to Construct	07/15	07/24	07/25	
	08-2545-S	Permit to Construct	07/16	07/18	07/21	
07/03-07/09	08-2547-S	Permit to Construct	07/16	07/18	07/30	
	08-2402-S	Renewal	07/03	07/14	07/14	



08-1990-S	Final Inspection	07/03	07/03	07/25
08-2422-S	Tank Replacement	07/07	07/15	07/15
08-2120-S	Final Inspection	07/07	06/20	07/15
08-2132-S	Final Inspection	07/07	07/08	07/25

1-27-08 Copy enclosed - sent to  
Butch Parker. Sh

FILE COPY



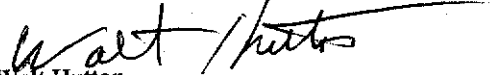
Tim Josi  
Tillamook County Commissioner  
Tillamook County Court House  
201 Laurel Ave.  
Tillamook, OR 97141

Dear Tim,

Attached are copies of mailing going out to coastal residents. A Portland company, River City Travel, is setting up a vacation rental business on the coast that certainly will impact our communities. It seems to me that after three years of discussing the vacation rental problem that Tillamook County needs to get some regulations going. Having a large travel agency market our local homes for a national market needs to have regulations soon, not after problems arise.


Besides regulations you need to set-up a fee program. A 10% fee plus an annual fee to have a rental unit should generate over \$500,000 in income with few costs. Manzanita takes in \$300,000 in rental fees(?). If nothing else you could dedicate the fees to local roads in the area where the fees come from. In our area the roads are becoming third world. We could use some dedicated money for roads in Neahkahnie.

Tim, it has been a long process with a great deal of foot-dragging and inaction-how about getting going on this problem?

  
Walt Hutton

Copies enclosed

July 28, 08  
5033686757

 Walter Hutton  
PO Box 629  
Manzanita, OR 97130-0629

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**MINUTES – TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING**  
**Wednesday, August 8, 2007**  
 Page 1

FILED  
*[Signature]*  
 AUG 31 2007  
 2:28  
 TASSI O'NEIL  
 COUNTY CLERK

**COMMISSIONERS PRESENT:**

Mark Labhart, Chair  
 Charles J. Hurliman, Vice-Chair  
 Tim Josi, Commissioner

**STAFF PRESENT:**

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

**STAFF PRESENT FOR PORTIONS OF THE MEETING:** Bill Campbell, Director, Community Development; Liane Welch, Director, Public Works; Dan Krein, Director, Juvenile Department and Marlene Putman, Director, Commission on Children and Families.

**GUESTS:** John Gettman, Gus Meyer, Don Lettenmaier, Doug Olson and Daryl Carter.

**CALL TO ORDER:** By Chair Labhart at 9:07 a.m. in Commissioners' Meeting Room A.

**ITEM NO. 1: WELCOME & REQUEST TO SIGN GUEST LIST:** Chair Labhart welcomed everyone and reminded them to sign the guest list.

**ITEM NO. 2: PUBLIC COMMENT – NON-AGENDA ITEMS:** There were no comments at this time.

**ITEM NO. 3: BOARD OF COMMISSIONERS' MEETING MINUTES FOR JUNE 23, 2007:** This item was not discussed as there were no minutes for June 23, 2007.

**ITEM NO. 4: CONSIDERATION CONCERNING DEVELOPING A TRANSIENT RENTAL ORDINANCE:** Chair Labhart summarized how this matter got to where it is today (see attached) including the process that will be used today.

Counsel Sargent summarized the John Junkin legal opinion dated July 12, 2007. (see attached)

Bill Campbell said he agreed with Counsel Sargent, stating that Measure 37 claims would be a large volume of substantive value and each would also involve a land use decision. The work load would require new staff.

Chair Labhart opened the floor for public input.

Doug Olson, Pacific City, said he served on the Committee and was glad to see it come to some closure. Mr. Olson said Measure 49 also places a large cloud on this. He said nuisance ordinances are available as a remedy as well. He said if the Measure 49 land use sorts out in the future, it could be looked at again.

**MINUTES – TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING**  
**Wednesday, August 8, 2007**  
**Page 2**

Daryl Carter, representing the Transient Rental Committee, was present. He said a minority report had been filed. They were against commercial use where nightly rentals were made through a central reservation desk. He said most Counties and Cities regulate short term rentals. Tillamook County has none. He said the upcoming ballot measure will allow flexibility to Counties. He said he wrote to about seven (7) jurisdictions acting as though he wanted to develop a short term rental in a residential zone. All of them said he couldn't. He then had exchanges with County Counsel about how Measure 37 had no transferability. He asked the Board to delay any decision today and have the attorneys work together on possible solutions. Vice-Chair Hurliman felt the Measure will worsen the issue from Mr. Carter's perspective. He said the Committee voted to control the rentals. He felt the Board should hold off.

Don Lettenmaier, Tierra Del Mar since 1950, was present. He described the growth in weekend rentals in that Community. He doesn't have neighbors any more. It has devalued his house. He has discouraged people from moving there.

Mr. Campbell said short term rentals in single family homes do constitute problems. He said the County could regulate but it would expose us to challenges. He said limitations on these uses could be addressed through an ordinance establishing occupancy limits. He said a transient room tax could also be enacted, but it would require voter approval. This would provide a vehicle that would regulate occupancy which is not a land use regulation.

Commissioner Josi felt holding off until the new ballot measure settles out was wise. He said although we allow what other Counties don't, Measure 37 now grandfathers those uses. After prior radio addresses he got a call saying there is only one (1) person in Tierra Del Mar that has a problem with short term rentals (Mr. Lettenmaier).

Commissioner Josi then addressed Mr. Carter's questions. He said Measure 37 claims would be inevitable. He said using precious staff time would not be appropriate on creating such claims. He felt the issue of transferability will be resolved either by the Courts or initiative. He proposed a method for registering short term rentals, adopt a transient room tax and use the revenues to enforce existing regulations. He said this could be done after the ballot measure was resolved.

Vice-Chair Hurliman wanted to see Staff develop an ordinance to enforce single family uses on short term rentals. Mr. Campbell described the parking ordinances currently in place.

**MINUTES – TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING**

**Wednesday, August 8, 2007**

**Page 3**

Chair Labhart thanked the Committee for its work. He discussed his April 20<sup>th</sup> questions to Staff about working with a Community with issues on short term rentals. He does not want to create a bureaucratic nightmare with Measure 37 or the new ballot measure. He felt we should not do anything at this time. Commissioner Josi said we should hold off and then do what he suggested. Vice-Chair Hurliman said we should at least enforce our existing laws with a registration. Commissioner Josi said Vice-Chair Hurliman had a valid argument, but Staff is so severely limited that he is reluctant to impose more work on them. Mr. Campbell described his staffing challenges. There was a discussion about the workload with registrations. Vice-Chair Hurliman said he sees where it is going so he'll go along with it, but expressed his frustrations with the problem. Chair Labhart said we shouldn't make a decision based on work load. He felt we needed to help Communities that need help after the ballot issues are resolved. No action was taken on this item.

**ITEM NO. 5: CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH EMIL SLATICK, PH.D. FOR PSYCHOLOGICAL EVALUATIONS FOR**

**JUVENILES:** Dan Krein said this doctor does evaluations for a number of Juvenile Departments. The funds are from an Oregon Youth Authority grant. It is in the budget.

Vice-Chair Hurliman made a motion to approve and sign the Professional Services agreement with Emil Slatick, Ph.D. for psychological evaluations for juveniles. The motion was seconded by Commissioner Josi. The motion carried with three (3) aye votes. The Commissioners signed the Professional Services Agreement.

**ITEM NO. 6: CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH LINCOLN COUNTY JUVENILE DEPARTMENT FOR JUVENILE SHELTER SERVICES FOR FISCAL YEAR 2007-2008:**

Mr. Krein said this is a long standing relationship with Lincoln County. The facility is staffed with para-professionals. We have a favorable below cost rate. These are budgeted pass through funds.

A motion was made by Commissioner Josi to approve and sign the Professional Services Agreement with Lincoln County Juvenile Department for juvenile shelter services for fiscal year 2007-2008. Vice-Chair Hurliman seconded the motion. The motion carried with three (3) aye votes. The Commissioners signed the Professional Services Agreement.

**ITEM NO. 7: CONSIDERATION OF 2010-2013 STIP (STATE TRANSPORTATION IMPROVEMENT PROGRAM) PROJECT PRIORITY APPLICATIONS:**

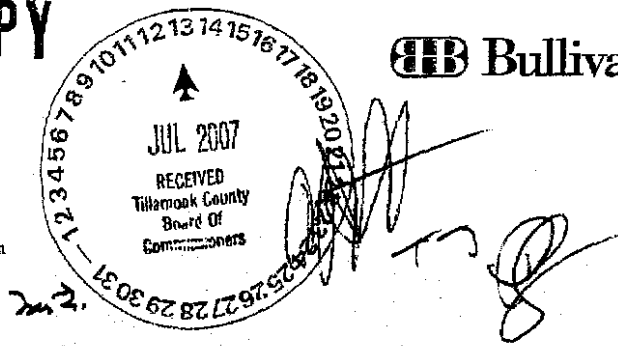
Liane Welch said we updated our list in the spring and summer with input from the County Road Advisory Committee and Cities. The local representatives of the NW Transportation Commission met to prioritize these. She outlined the priority projects, including a

FILE COPY

**Bullivant | Houser | Bailey PC**

Attorneys at Law

JOHN M. JUNKIN  
Direct Dial: (503) 499-4613  
E-mail: john.junkin@bullivant.com



July 12, 2007

**Confidential Attorney-Client Communication ORS 192.502(9)**

Tillamook County Commissioners  
201 Laurel Ave.  
Tillamook, OR 97141

Dear Commissioners:

We were asked to review a written opinion attorney Tim Sercombe provided to the Neahkahnie Transient Rental Committee in regard to "Use of Residential Structure for Commercial Purposes - Zoning Compliance" (the "Sercombe Opinion" or "Opinion"). Specifically, we have been asked to consider possible Measure 37 ramifications if the County were to proceed with an interpretation as set forth in the Opinion. Mr. Sercombe is a highly regarded land use lawyer who, since providing the Opinion, has been appointed to the Oregon Court of Appeals. However, notwithstanding Tim's elevated status, the Sercombe Opinion must be considered in the context of "just" an opinion by an attorney. Below is a review of the Opinion, followed by possible Measure 37 implications if the County were to issue an interpretation as proposed by the Opinion.

**The Sercombe Opinion Regarding Interpretation of the Tillamook County Land Use Ordinance (LUO) Disallowing Transient Occupancies for Property Zoned for Single-Family Dwelling**

The Sercombe Opinion provides an innovative proposal to address the complaints regarding "transient" occupancy of dwellings in the Residential Zones within the Neahkahnie area of the County (NK-7.5, NK-15, NK-30). As we understand the Sercombe Opinion, he suggests the County could issue an interpretation of LOU 10.010, *et seq.*, that would "restrict" transient occupancies in single-family dwelling zones. This interpretation would assumedly follow the reasoning and legal analysis set forth in the Opinion as to why transient occupancies are "restricted." In essence, Mr. Sercombe's reasoning and analysis follows the Latin maxim *inclusio unius est exclusio alterius*, which is basically utilized in construing terms to hold that to express or include one thing implies the exclusion of the other. In this case, the Opinion proposes an interpretation that, since transient occupancy is expressly allowed in certain zones of the County, it is excluded in the single-family dwelling zones (which do not expressly provide for transient occupancy). The Opinion identifies Oregon



land use cases where this principal of interpretation has been applied (specifically, the Opinion cites *Sevcik v. Jackson County*, 16 Or LUBA 710 (1988)).

The Opinion's approach would be to provide for the formal process provided under the LUO for issuance of interpretations, including the appeal of such an interpretation by the County Planning Director to the Board of Commissioners and the consideration of the interpretation in a public hearing process. As the Opinion correctly points out, the issuance of such an opinion would be a land use decision subject to appeal to the Land Use Board of Appeals (LUBA), and possibly beyond to the Oregon Court of Appeals (where assumedly Judge Sercombe would recuse himself) and the Oregon Supreme Court.

The interpretation of a local land use regulation is a question of law, and the courts are not bound to local interpretations. Rather, the courts will consider whether the interpretation is right or wrong, *Sevcik, supra*, citing *McCoy v. Linn County*, 90 Or App at 275-276. Our review is limited to the Opinion, and we have not considered whether there are past interpretations of the LUO, either through the formal process or informally through past practice, that might be contradictory to the interpretation proposed in the Opinion. However, LUBA has opined that in reviewing local land use decisions "(t)here is no requirement local government actions must be consistent with past decisions, but only that a decision must be correct when made. Indeed, to require consistency for that sake alone would run the risk of perpetuating error." *Sterling Mine Properties v. Jackson Count*, 23 Or LUBA 18 (1992).

The Opinion, assuming that the interpretation will result in finding transient occupancies as not allowed in single-family dwelling zones, then suggests the County could amend the LUO to allow transient occupancies in certain single-family dwelling residential zones (but assumedly not NK-7.5, NK-15, NK-30 zones). Although the "new" allowance of transient occupancies in single-family dwelling residential zones would be a new land use regulation, the Sercombe Opinion reasons this "new" land use regulation would not provide a basis for any Measure 37 claims because it would expand rather than restrict uses on the subject properties, and would assumedly increase those properties' fair market value.

For the remainder of this opinion, we are assuming that the County would, as proposed in the Sercombe Opinion, interpret the LUO to disallow transient occupancy in single-family dwelling zones; that such an interpretation would be sustained on appeal; and that the County would then amend the LUO to allow transient occupancy in certain single-family dwelling zones. We have not been asked for, nor do we express an opinion on the procedural, enforcement and political issues that may confront the County if it were to follow this course of action to prohibit, by interpretation, transient occupancy in certain single-family dwelling zones, and then seek to provide such a use in only certain such zones.

**Would Following the Opinion's Proposal to Disallow/Allow Transient Occupancy in Certain Single-Family Dwelling Zones Present Possible Measure 37 Liability ?**

The approach proposed in the Opinion assumedly was crafted in this manner in part to avoid Measure 37 impacts. Measure 37 (codified at ORS 197.352) imposes potential liability on public entities for new land use regulations that are imposed on property that have the effect of restricting the use of the property and reducing the fair market value of the property. Measure 37 is not a model of clarity, and there are differing interpretations as to its intent and application. As of the date of this opinion, there are no appellate court cases that resolve any of the conflicting substantive interpretations of Measure 37. The Sercombe Opinion considers the Measure 37 implication of its proposed interpretation process for disallowing/allowing transient occupancies in single-family dwelling zones based upon a reading of the Measure being applicable to "new land use regulations" and the impact of such regulations on property. In essence, by applying the proposed interpretation rather than adopting changes to the single-family dwelling zones disallowing transient occupancy, the Opinion concludes that Measure 37 would not be applicable, i.e., it would not be a land use regulation. Further, the Opinion concludes subsequent amendments to certain single-family dwelling zones allowing transient occupancy use where they have been prohibited by the interpretation would not be a "restriction" on the affected properties, and assumedly would not reduce the fair market value, and therefore Measure 37 would not apply.

Theoretically, the Opinion may be correct. However, the "devil is in the details." We noted that Mr. Sercombe followed up his opinion with a September 11, 2006 letter to the County Counsel, proposing that the "interpretation could set out standards for when use of a single-family residence for short term rentals becomes commercial in character." Assumedly, in suggesting that the interpretation include "standards," Mr. Sercombe recognized that an interpretation prohibiting transient occupancy in single-family dwelling zones without some permissible allowances for determining and distinguishing commercial transient occupancy would be fraught with potential controversy and issues. The standards proposed in Mr. Sercombe's letter are phrased to define what transient occupancy would be allowed as non-commercial transient occupancy in single-family dwelling zones, assumedly to allow some reasonable accommodation of non-commercial transient occupancy in all single-family dwelling zones.

We agree that providing for certain standards within the "interpretation" prohibiting transient occupancy in single-family dwelling zones is appropriate. However, we do not agree with the conclusion in Mr. Sercombe's letter that providing such standards "does not expose the County to liabilities or risks." The Opinion is premised on an interpretation of

what is allowed and what is disallowed in single-family dwelling zones. Arguably, as explained in the Opinion, such an interpretation is permissible under the law, and as an interpretation, does not constitute a new land use regulation that might expose the County to Measure 37 liability. Even under this scenario, however, the County should expect to have challenges not only to its interpretation – which, as stated above, is a land use decision subject to appeal, but also expect Measure 37 claims resulting from this interpretation.

If the County were to issue an interpretation as proposed by the Opinion, and include “standards,” we believe it is likely that the interpretation, with standards, would be construed as a new land use regulation upon which a Measure 37 claim could be presented. The County could take the position that, even assuming the interpretation with standards was a new land use regulation, it does not “restrict” the use of the property or reduce its fair market value. However, impacted property owners could assert that the standards are more restrictive on allowing limited transient occupancy than they would otherwise be entitled to, i.e., the standards act as a restriction as well as an expansion of rights. Unlike the conclusion reached in Mr. Sercombe’s letter, we believe providing an interpretation with standards would expose the County to some Measure 37 liability.

In addition to the potential Measure 37 issues, the issuance of the “interpretation with standards” as proposed in Mr. Sercombe’s letter is arguably an amendment to the LUO, and would therefore necessarily need to go through the LUO amendment process, including notice to the DLCD.

### Conclusion

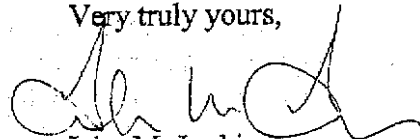
In essence, we believe the reasoning and approach set forth in the Opinion may be well founded on the law. However, it will likely be viewed as an approach engineered to attempt to avoid Measure 37 implications. Further, as acknowledged in Mr. Sercombe’s letter, a mere interpretation disallowing transient occupancy in single-family dwelling zones would be problematic, therefore providing “standards” as to what constitutes commercial transient occupancy vs. non-commercial is advisable. However, in our opinion, the imposition of such non-commercial standards may likely be more than an interpretation. Although we agree the imposition of non-commercial standards is advisable, for the reasons set forth above, we disagree that applying such standards would not expose the County to liabilities or risks.

If the County elects to proceed with the approach set forth in the Opinion and the Sercombe letter, it should do so with the reasonable expectation that there will be land use

Tillamook County Commissioners  
July 12, 2007  
Page 5

challenges to the "interpretation with standards," as well as Measure 37 claims brought by impacted property owners.

Very truly yours,



John M. Junkin

JMJ:tk  
10381315.1





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## Sue Becraft

---

**From:** Mona Hamblen  
**Sent:** Friday, August 01, 2008 3:07 PM  
**To:** Sue Becraft  
**Cc:** David Dickman; MaryJo Beckstead; Paul Levesque  
**Subject:** Suggestion - Ice Maker for Lunch Room

Sue,

Replacement of the ice maker for the Employee Breakroom was discussed at the Employee Recognition Team meeting today. (Formely known as the Who?Hah! Committee).

Those in attendance were: David Dickman, Mona Hamblen, MaryJo Beckstead, Chris Chiola and Pattie Fischer. Those absent: Rob Buckingham, Jacque Rogers.

MaryJo has done extensive research on the subject of the cost to replace the ice maker in the Employee breakroom. It was decided by those in attendance that the cost of replacing the ice maker is prohibitive to our budget. Ice makers cost from \$250-1200. and our annual budget is \$1500.00 for all Employee Activities. It seems there are only a few County employees that used the ice maker and several Circuit Court employees. The Employee Recognition Team is suggesting to split the cost with the County (Facilities?) and Circuit Court of a new refrigerator wtih icemaker when the need arises. Other suggestions: Employees can place (and maintain) personal ice cube trays in the existing freezer, bring ice in containers from home or purchase bags of ice to store in the freezer for their own use.

Thank you,

Mona Hamblen  
Human Resources Generalist  
Tillamook County Personnel Office  
201 Laurel Avenue  
Tillamook, OR 97141  
(503) 842-3418  
(503) 842-1339 Fax  
mhamblen@co.tillamook.or.us