



TILLAMOOK COUNTY BOARD OF COMMISSIONERS NOTICE OF MEETING AGENDAS

BOARD OF COMMISSIONERS

David Yamamoto, Chair
dyamamoto@co.tillamook.or.us

Erin D. Skaar, Vice-Chair
eskaar@co.tillamook.or.us

Mary Faith Bell, Commissioner
mfbell@co.tillamook.or.us

CONTACT

Tillamook County Courthouse
201 Laurel Avenue
Tillamook, Oregon 97141
503.842.3403
www.co.tillamook.or.us

COMMUNITY UPDATE MEETING

Tuesday, May 3, 2022 at 8:00 a.m.

Teleconference and KTIL-FM at 95.9

BOARD MEETING

Wednesday, May 4, 2022 at 9:00 a.m.

NEHALEM ROOM

****Please Note the Meeting Room Location Change****

County Courthouse, Teleconference, and Live Video at tctvonline.com

AGENDAS

COMMUNITY UPDATE – 2022-05-03 COMMUNITY UPDATE AUDIO.MP4

CALL TO ORDER: Tuesday, May 3, 2022 8:00 a.m.

1. 00:43 Welcome and Board of Commissioners' Roll Call
2. 00:58 Adventist Health Tillamook
3. 02:45 Coastal Caucus
4. 18:03 Tillamook County Community Health Center
5. 30:36 Nehalem Bay Health Center & Pharmacy
6. 32:35 Tillamook Family Counseling Center
7. 36:00 Sheriff's Office
8. 36:33 Emergency Management
9. 43:10 Oregon Department of Transportation
10. 48:57 Board of Commissioners
11. Cities
 - 49:05 Manzanita
 - 1:06:37 Tillamook
 - 1:10:27 Bay City
 - 1:12:24 South County

ADJOURN – 9:16 a.m.

MEETING – 2022-05-04 BOCC MEETING AUDIO.MP4

CALL TO ORDER: Wednesday, May 4, 2022 9:01 a.m.

1. 02:01 Welcome & Request to Sign Guest List
2. 02:41 Pledge of Allegiance
3. 03:11 Public Comment: There were none.
4. 03:13 Non-Agenda Items
Meeting Room Location Change Announcement/Commissioner Erin Skaar

PRESENTATIONS

5. 03:39 Tillamook Bay Community College 2022 Proposed Bond Measure/Ross Tomlin, President, Tillamook Bay Community College

LEGISLATIVE – ADMINISTRATIVE

6. 33:31 Discussion and Consideration of a Personnel Requisition for a New Regular Full-Time Records Clerk in the Sheriff's Office/Josh Brown, Sheriff

A motion was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Vice-Chair signed the requisition.

7. 36:29 Discussion and Consideration of an Order in the Matter of Declaring County Owned Property as Surplus/Matt Kelly, Undersheriff, Sheriff's Office

A motion was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Board signed Order #22-023.

8. 38:44 Discussion and Consideration of Amendment #1 to Oregon Department of Corrections for Coronavirus Emergency Supplemental Funding Subgrant Agreement #6058 for the Coronavirus Response Project/Ahnie Seaholm, Lieutenant, Sheriff's Office

A motion was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Chair signed the amendment.

9. 41:19 Discussion and Consideration of an Encroachment License for Construction of a Retaining Wall for Property Located at 4 South, 10 West, Section 30AB, Tax Lot 1403 Within the Right of Way at Dana Lane Court in Pacific City, Tillamook County/Chris Laity, Director, Public Works

A motion was made by Commissioner Bell and seconded by Vice-Chair Skaar. The motion passed with two aye votes. Commissioner Yamamoto abstained from voting. The Board signed the license.

10. 48:08 Discussion and Consideration of a Prevailing Wage Rate Contract for Construction with Bob McEwan Construction, Inc. for the Old Wheeler Mohler Road Slide Repair Project/Chris Laity, Director, Public Works
- A motion was made by Commissioner Bell and seconded by Chair Yamamoto to approve the contract upon receipt of contractor's construction performance bond. The motion passed with three aye votes.
11. 51:54 Discussion and Consideration of an Intergovernmental Agreement with the State of Oregon Department of Land Conservation and Development to Update the Multi-Jurisdictional Hazard Mitigation Plan/Sarah Absher, Director, Department of Community Development
- A motion was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Chair signed the agreement.
12. 58:50 Discussion and Consideration of a Personnel Requisition for a New Full-Time Regular Office Specialist 2 in the Parks Department/JoAnn Woelfle, Director, Parks Department
- A motion was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Vice-Chair signed the requisition.
13. 1:03:15 Discussion and Consideration of a Resolution in the Matter of Proclaiming May 6, 2022 as "Provider Appreciation Day" in Tillamook County, Oregon/Commissioner Erin Skaar
- 1:03:35 Awareness of Childcare Investment/Diane Wilkins
- 1:08:56 School District Childcare Provider Appreciation/Bill Sargent, County Counsel
- A motion was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Board signed R#22-004.
14. 1:13:48 Board Concerns – Non-Agenda Items
Voting Reminder/Commissioner Mary Faith Bell
15. 1:14:39 Board Announcements

Vice-Chair Skaar recessed the board meeting at 10:17 a.m. to go into executive session pursuant to ORS 192.660(2)(d)

ADJOURN – 10:17 a.m.

JOIN THE BOARD OF COMMISSIONERS' MEETINGS

The board is committed to community participation and provides opportunity for public attendance during meetings via in-person and teleconference.

- **Community Update Meetings: Tuesdays at 8:00 a.m.**
 - Teleconference: Dial 971-254-3149, Conference ID: 736 023 979#
 - Radio: KTIL-FM at 95.9
- **Board Meetings: Wednesdays at 9:00 a.m.**
 - County Courthouse: **Nehalem Room, 201 Laurel Avenue, Tillamook**
 - Teleconference: Dial 971-254-3149, Conference ID: 736 023 979#
 - Live Video: tctvonline.com

MEETING INFORMATION AND RULES

- Matters for discussion and consideration by the board shall be placed on an agenda prepared by the staff and approved by the board chair. Any commissioner may request items on the agenda.
- Public hearings are formal proceedings publicized through a special public notice issued to media and others. Public hearings held by the board are to provide the board an opportunity to hear from the public about a specific topic. Public hearings are therefore different regarding audience participation at board meetings.
- Commissioners shall be addressed by their title followed by their last name.
- Commissioners shall obtain approval from the chair before speaking or asking questions of staff, presenters, and public. As a courtesy, the chair shall allow an opportunity, by the commissioner who has the floor, to ask immediate follow-up questions.
- A majority of the board shall constitute a quorum and be necessary for the transaction of business.
- All board meeting notices are publicized in accordance with public meeting laws.
- All board meetings shall commence with the Pledge of Allegiance.
- The chair will utilize the gavel as needed to maintain order, commence and adjourn meetings, and signal approval of motions.
- The board reserves the right to recess to executive session as may be required at any time during these meetings, pursuant to ORS 192.660(1).
- The 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, contact (503) 842-3403 at least 24 hours prior to the meeting so that the appropriate communications assistance can be arranged.

PUBLIC COMMENT

- Providing public comment is an opportunity for constituents to be heard and express their views to the board.
- The board allows public comment at board meetings during the public comment period designated on the agenda.
- Comments are limited to one per person and per agenda item.
- Comments must be related to the agenda item(s) previously registered to comment on.
- The allotted time for public comments is two minutes per person; this time may not be allotted to another speaker. The chair may, at their sole discretion, further limit or expand the amount of time.
- The public comment opportunity is not a discussion, debate, or dialogue between the speaker and the board, which may or may not respond.
- Members of the public do not have the right to disrupt the meeting; the board may prohibit demonstrations such as booing, hissing, or clapping.
- Remarks containing hate speech, profanity, obscenity, name calling or personal attacks, defamation to a person, people, or organization, or other remarks the board deems inappropriate will not be allowed.
- Failure to follow all rules and procedures may result in not being able to provide public comment and/or being removed from the meeting.

In-Person Procedures

- Sign in before the meeting begins and indicate your desire to provide public comment and which agenda item you would like to comment on. When your name is announced, please come forward to the table placed in front of the dais and for the record, first identify yourself, area of residence, and organization represented, if any.

Virtual Procedures

- Register by sending an email to publiccomments@co.tillamook.or.us by 12:00 p.m. on the Tuesday prior to the board meeting. The email must contain all of the following information:
 - Full name, area of residence, and phone number.
 - Agenda item(s), you wish to comment on.
- Once registered, and before the start of the meeting, board staff will email a Microsoft Teams meeting link.
- When logged in to the meeting you must remain muted with your camera off until your name is called, then you unmute and turn on your camera.
- The chair may require those providing virtual comment to turn on their camera while providing comment or testimony.

Written Procedures

- Written comments may be mailed to 201 Laurel Avenue, Tillamook, Oregon 97141 or emailed to: publiccomments@co.tillamook.or.us.
- Written comments received by 12:00 p.m. on the Tuesday prior to the board meeting will be distributed to the board and posted online. All written comments submitted become part of the permanent public meeting record.

AGENDAS

COMMUNITY UPDATE

CALL TO ORDER: Tuesday, May 3, 2022 8:00 a.m.

1. Welcome and Board of Commissioners' Roll Call
2. Adventist Health Tillamook
3. Coastal Caucus
4. Tillamook County Community Health Center
5. Nehalem Bay Health Center & Pharmacy
6. Tillamook Family Counseling Center
7. Sheriff's Office
8. Emergency Management
9. Oregon Department of Transportation
10. Board of Commissioners
11. Cities
 - a. Manzanita
 - b. Nehalem
 - c. Wheeler
 - d. Rockaway Beach
 - e. Garibaldi
 - f. Bay City
 - g. Tillamook
 - h. South County

ADJOURN

MEETING

CALL TO ORDER: Wednesday, May 4, 2022 9:00 a.m.

1. Welcome & Request to Sign Guest List
2. Pledge of Allegiance
3. Public Comment
4. Non-Agenda Items

PRESENTATIONS

5. Tillamook Bay Community College 2022 Proposed Bond Measure/Ross Tomlin, President, Tillamook Bay Community College

LEGISLATIVE – ADMINISTRATIVE

6. Discussion and Consideration of a Personnel Requisition for a New Regular Full-Time Records Clerk in the Sheriff's Office/Josh Brown, Sheriff
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13. Discussion and Consideration of a Resolution in the Matter of Proclaiming May 6, 2022 as "Provider Appreciation Day" in Tillamook County, Oregon/Commissioner Erin Skaar

14. Board Concerns – Non-Agenda Items
15. Board Announcements

ADJOURN

OTHER MEETINGS AND ANNOUNCEMENTS

Beginning **Wednesday, May 4, 2022**, the Board of Commissioners will temporarily hold its weekly board meetings in the Nehalem Room, which is located in the basement of the courthouse, 201 Laurel Avenue, Tillamook. The temporary meeting room location will be in effect for the next several months.

A budget committee meeting of the Solid Waste Service District will be held on **Monday, May 2, 2022 at 11:00 a.m.** to discuss the budget for fiscal year 2022-2023. The teleconference number is 1-971-254-3149 Conference ID: 736 023 979#. Public comment can be submitted at publiccomments@co.tillamook.or.us. This is a public meeting where deliberation of the Budget Committee will take place.

The Commissioners will hold a Board Briefing on **Wednesday, May 4, 2022 at 2:00 p.m.** to discuss weekly commissioner updates. The meeting will be held at the Courthouse in the Nehalem Room, 201 Laurel Avenue, Tillamook, Oregon. The teleconference number is 1-971-254-3149, Conference ID: 736 023 979#.

A budget committee meeting of the 4-H & Extension District will be held on **Tuesday, May 10, 2022 at 11:00 a.m.** to discuss the budget for fiscal year 2022-2023. The teleconference number is 1-971-254-3149 Conference ID: 428 980 938#. Public comment can be submitted at publiccomments@co.tillamook.or.us. This is a public meeting where deliberation of the Budget Committee will take place.

A public meeting of the Tillamook County Budget Committee will be held on **Wednesday, May 11, 2022, at 1:00 p.m.** to discuss the budget for fiscal year 2022-2023. The meeting will be held at the Justice Facility ATV Conference Room, 5995 Long Prairie Road, Tillamook, Oregon. Teleconference number is: 971-254-3149, Conference ID: 736 023 979#. Public comment can be submitted at publiccomments@co.tillamook.or.us. This is a public meeting where deliberation of the Budget Committee will take place.

BOARD OF COMMISSIONERS' BOARD MEETING

Wednesday, May 4, 2022

	Present	Absent		Present	Absent
Mary Faith Bell	<u>✓</u>	<u> </u>	Rachel Hagerty	<u>✓</u>	<u> </u>
David Yamamoto	<u>✓</u>	<u> </u>	Bill Sargent	<u>✓</u>	<u> </u>
Erin Skaar	<u>✓</u>	<u> </u>			

PLEASE PRINT

Name

Email or Address

Item of Interest

Diane Wilkinson

diane.wilkinson@h2o.org.us

Pronder Appropriation

Teah Lavolette

teah.lavolette@gmail.com

Animal Care

(Please use reverse if necessary)

WEDNESDAY, May 4, 2022

PUBLIC COMMENT SIGN-IN SHEET

PLEASE PRINT

[illegible]

SH22-047



Tillamook Bay Community College 2022 Proposed Bond Measure

Projects Proposed for 2022

TBCC began developing a new Facilities Master Plan (FMP) in 2018 with brainstorming sessions at TBCC



All the data from the public sessions were used by TBCC Committee and an architecture firm to develop the FMP



FMP included plans for:

- **A proposed new building on campus**
- **Renovations to existing building**
- **Purchase the CIT building**

**Board approved the
FMP in Spring 2020**

Healthcare Focus



- Continuing to add healthcare programs at TBCC, with more planned
- Have a partnership with Oregon Coast CC for nursing, but not ideal for our students
- Only Community College in Oregon without a nursing program
- Develop TBCC's own nursing program

Growing a Local Workforce

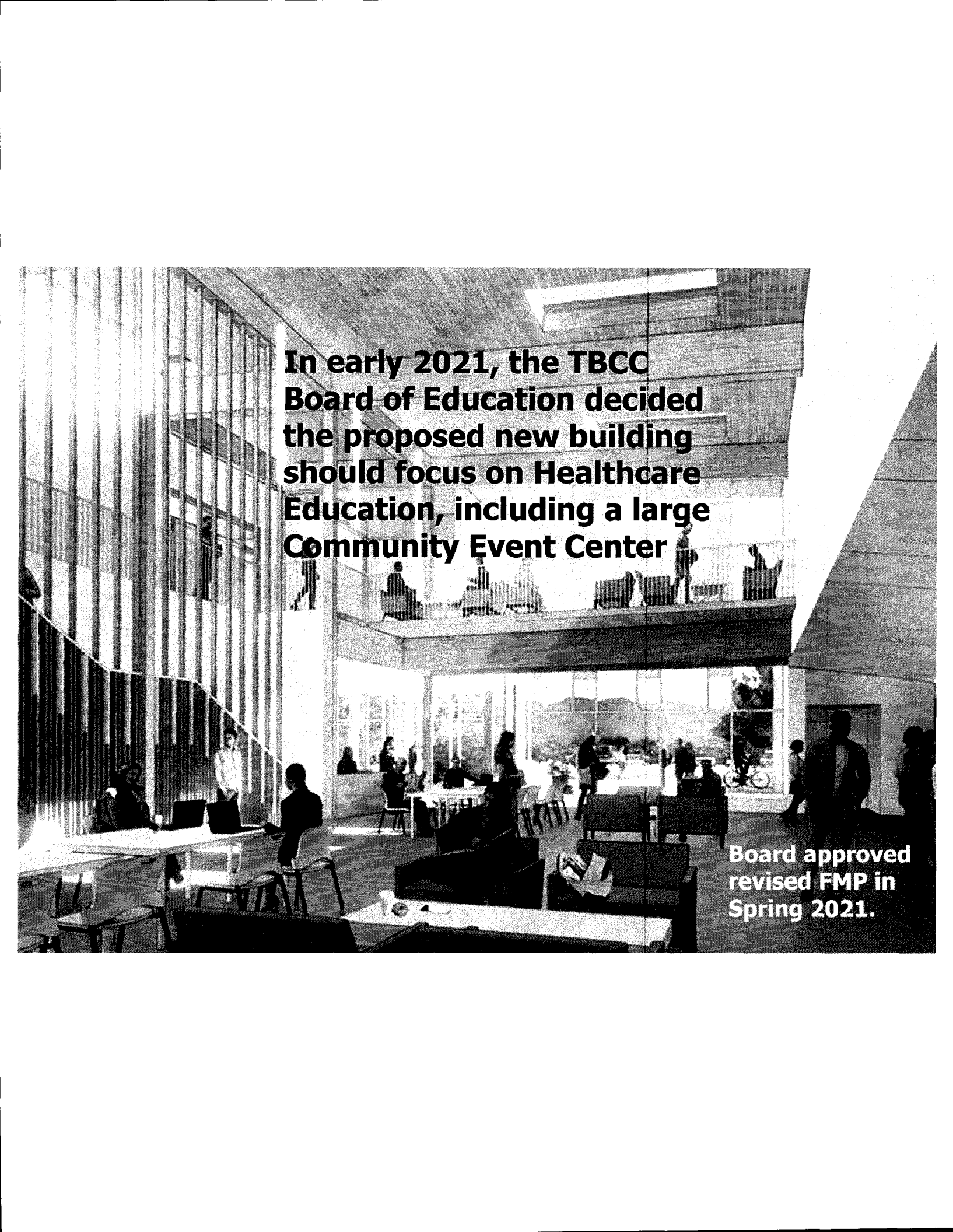
Adventist Health Tillamook has a longstanding relationship with this college. Many of the hospital's healthcare professionals began their education and career journey there, including five key nurse leaders. We believe strongly, and our experience bears witness, that training a local workforce is important to long-term staffing stability as well as community economic vitality for our rural region.

- Eric Swanson, President, Adventist Health Tillamook



What did we know by late 2020?

- Healthcare occupations are the top emerging jobs in Tillamook County
- An interest in space for existing healthcare programs and room to grow new programs, including Nursing
- Main campus is currently at full capacity
- There is a community interest for large, flexible meeting space

An architectural rendering of a modern building's interior. The space is characterized by large, floor-to-ceiling windows on the left side, which allow natural light to fill the room. The ceiling is made of exposed wooden beams, adding a warm, natural texture. In the foreground, there are several tables and chairs, some of which are occupied by people. A mezzanine level with a glass railing is visible in the middle ground, with more people walking on it. The overall atmosphere is bright and open, suggesting a community or educational environment.

**In early 2021, the TBCC
Board of Education decided
the proposed new building
should focus on Healthcare
Education, including a large
Community Event Center**

**Board approved
revised FMP in
Spring 2021.**

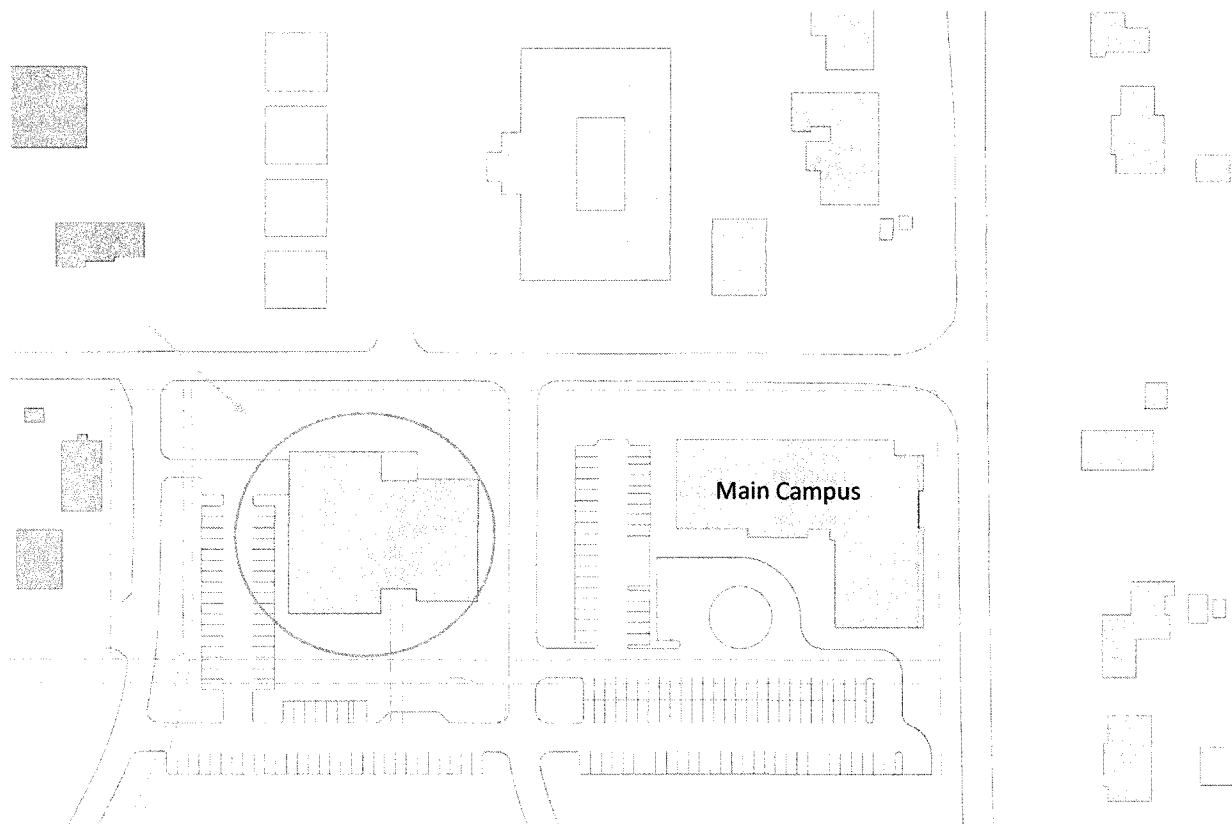
What Would the Proposed Bond Measure Cost?

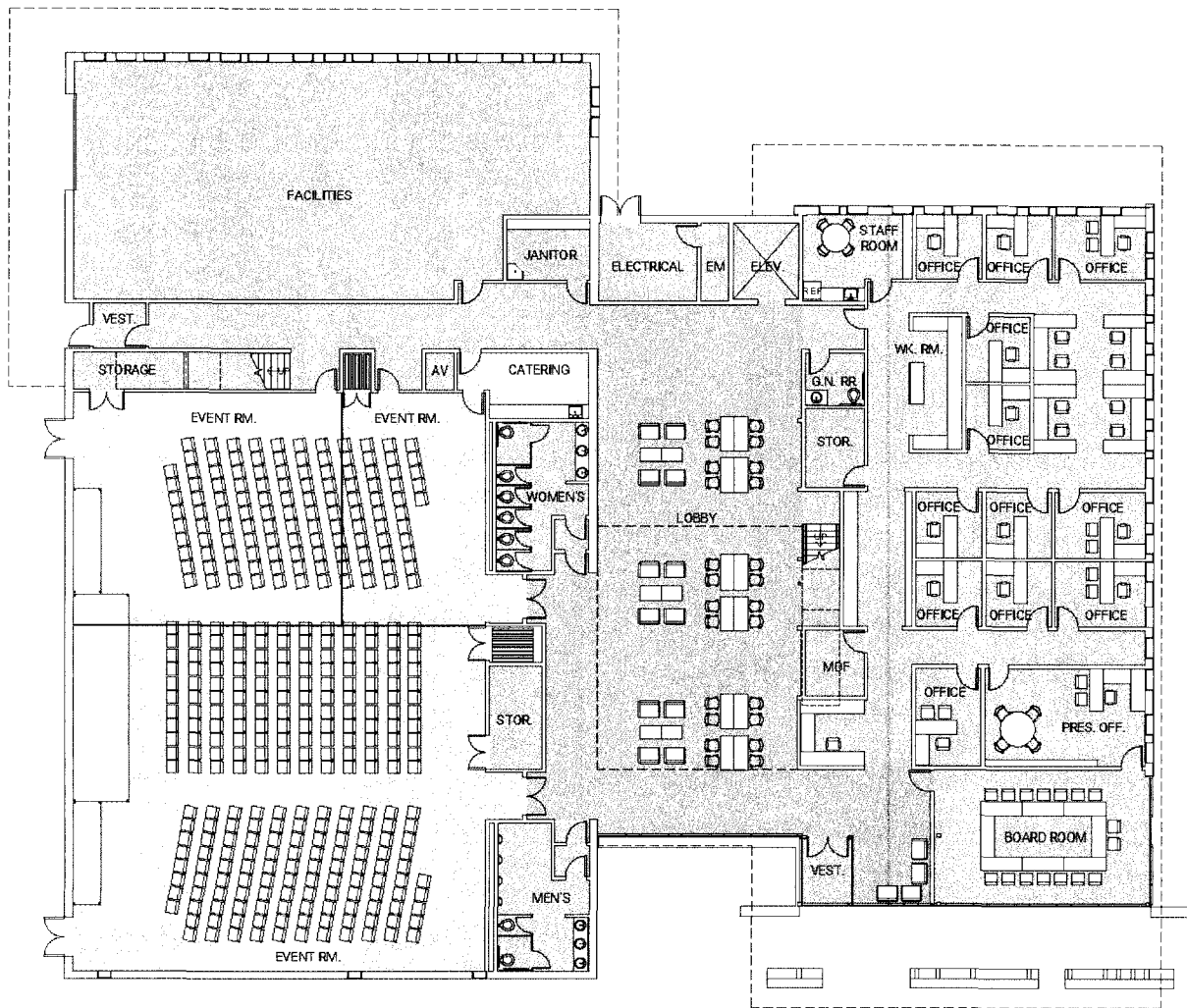
- The proposed new building is estimated to cost \$22.4 million.
- TBCC received an \$8 million matching grant from the Oregon State Legislature in Summer 2021 to construct the proposed new building.
- The grant must be matched within five years in order to receive it.
- In Fall 2021, TBCC Board of Education voted to refer a \$14.4 million proposed bond in the May election to provide the additional funds to construct the proposed new building
- If the proposed bond passes, homeowners would be assessed an estimated \$0.19 per \$1,000 of assessed property value for a 20-year duration. A homeowner with an assessed property value of \$250,000 would pay \$47.50 annually, or \$3.95 monthly, on the proposed bond measure.
- If the proposed bond measure does not pass, the college would not receive the \$8 million in committed match funds from the state, and the proposed building project and educational services would not be provided.

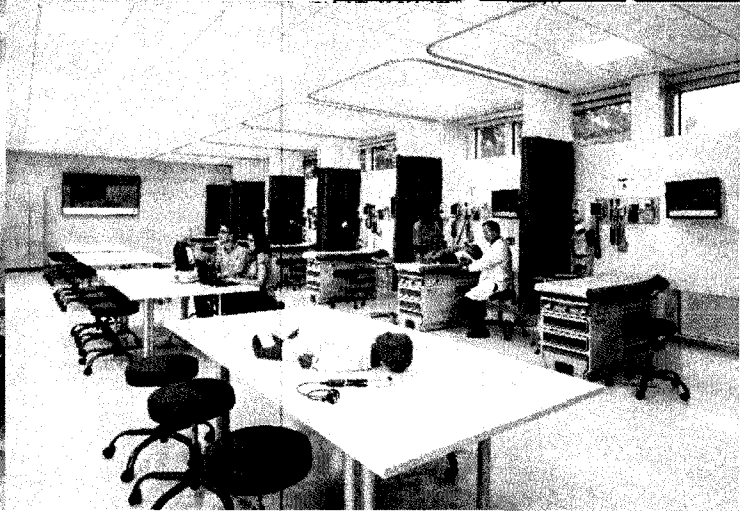
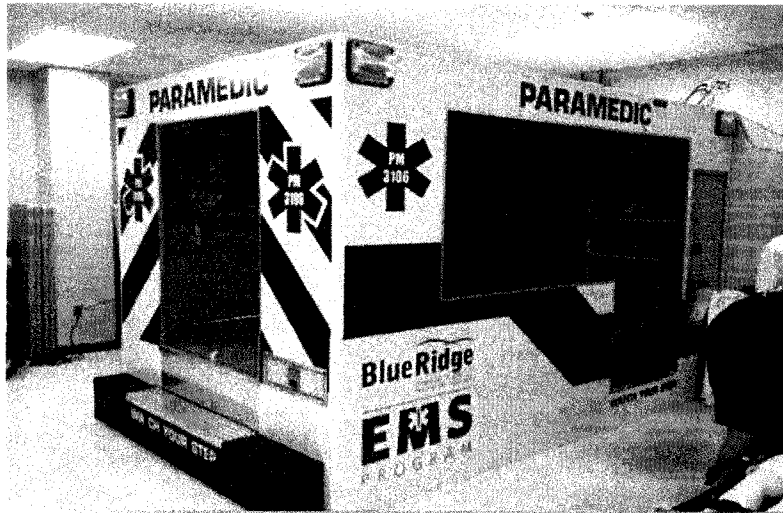
Proposed Healthcare Education Building

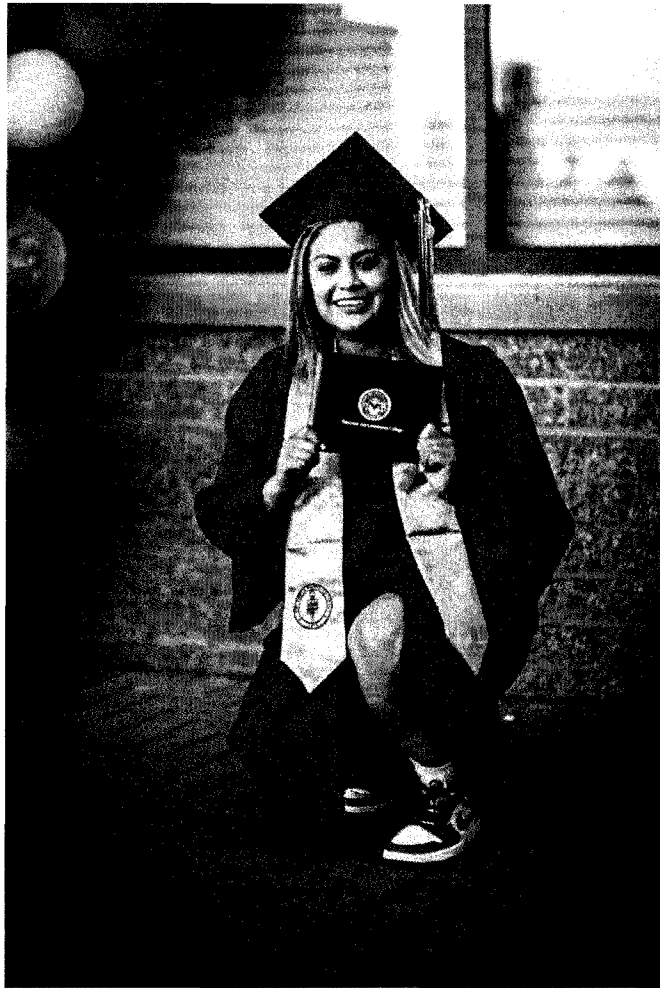
- Construct a new 25,000 sq-ft building on college-owned land.
- Include modern labs and classrooms with technology to expand and grow healthcare programs and partnerships
- Include space for EMT, MA, Phlebotomy, Nursing, and new healthcare programs developed over coming years
- Include classroom space to meet current and future enrollment growth
- Include a flexible use community resource space for town meetings, college graduations, conferences, and community gatherings

Location of Proposed New Building









Questions?





PUBLIC WORKS DEPARTMENT

503 Marolf Loop Road
Tillamook, Oregon 97141
Roads (503) 842-3419
Solid Waste (503) 815-3975
FAX (503) 842-6473
Email: pubwks@co.tillamook.or.us
TTY Oregon Relay Service

Land of Cheese, Trees and Ocean Breeze

PETITION FOR ENCROACHMENT LICENSE PUBLIC WORKS STAFF REPORT

Date: March 7th, 2022

Report Prepared by: Jasper Lind, Engineering Technician
For Chris Laity, P.E., Director

I. GENERAL INFORMATION

Request: Petition to issue an Encroachment License for construction of a retaining wall less than 4 feet high within the Dana Lane Court right of way in Pacific City.

License Location: A specific 35 foot long by 7 foot wide frontage of the 50 foot wide public right of way abutting tax lot #01403 located within Pacific City and shown in map T04S R10W Sec. 30AB. Site as described in attached design documents.

Petitioner: The petitioners are the owners in fee title of the above mentioned tax lot as identified in the attached request letter.

II. APPLICABLE STATUTES / ORDINANCES:

- 1) ORS 368.256 County Road Statute - Creation of a road Hazard
- 2) ORS 374.305 Permission to Build on Rights of Ways
- 3) ORS 374.310 State Permitting Rules
- 4) ORS 811.105 Oregon Basic Rule
- 5) County Road "Right of Way Encroachment Policy" initiated under the authority of ORS 374.310

III. REVIEW:

1. Very Low Volume Road

A very low volume road is a road where the average daily traffic is less than 400 vehicles. This categorization determines what AASHTO design standards are applied to construction within the right of way. As a dead-end residential street with 6 houses and 5 undeveloped lots, Dana Lane Court meets these qualifications.

2. Vehicle Speeds

A speed limit is not posted on this road. This makes it fall under Oregon Basic Rule Law and sets the speed of this residential road to be 25 miles per hour.

3. Clear Zone

A clear zone is an unobstructed roadside area that allows a driver to safely stop or regain control of a vehicle that has left the roadway. Given the vehicular speed and very low volume of traffic, the AASHTO Guidelines for Geometric Design of Very Low-Volume Roads recommends clear zone of 6 feet from the edge of pavement for any potential hazards over 4 inches high. The proposed retaining wall is 12 feet from the edge of pavement which will significantly increase the available clear zone.

4. Crash Hazards

The proposed retaining wall will be located on the downhill side of Dana Lane Court and will be no more than 4 inches higher than the paved road surface. Safety rails recommended by the District Fire Chief will be attached to the structure with breakaway components.

5. Wall Location

At the current proposed location, the retaining wall is expected to be nearly 4 feet tall. Initial efforts to consider a wall which would be located on private property were found to be unfeasible. Relocation of the wall outside of the right of way would have significant design ramifications which may impact road base stability due to the necessary changes in wall height and mass. The proposed design optimizes the wall to efficiently fit with the existing terrain.

6. Utilities

Local utilities have been contacted through OUNCall, as well as through direct communication. No unique conflicts exist beyond the standard work environment.

IV. CONCLUSION AND RECOMMENDATIONS:

- 1) Tillamook County Engineering staff has reviewed the subject, support documents, and visited the site.
- 2) The subject right of way is located on the northern side of Dana Lane Court directly abutting to tax lot #1403.
- 3) The expressed intent of the Petitioner is to construct a retaining wall within a portion of the public right of way as described in their petition letter, exhibits, and TCPW Permits.
- 4) Engineering staff recommends **Approval** of this Encroachment License with the following conditions:
 - a) Approval of this petition for an encroachment license in no way relieves the affected properties, their heirs or assigns, from easements or encumbrances not identified herein.
 - b) It is the sole responsibility of the property owners to maintain repair or replace the retaining wall as necessary. This responsibility will run with the property.
 - c) All fees associated with professional services, document preparation and public recording are to be the sole responsibility of the petitioners. Any design changes must be approved through TCPW in writing.
 - d) A stamped engineered design and calculations be provided to TCPW prior to commencing construction.
 - e) Final as-builts are to be completed and submitted to TCPW upon completion of construction.
 - f) Should this encroachment be deemed be a future hazard to public safety, County reserves the right to revoke this license under conditions described in the license agreement.

V. EXHIBIT LIST:

1. Letter from property owners
2. Project design sheets
3. Maps and location images
4. Approved related road approach and non-utility permits

EXHIBIT 1

January 5, 2022

TO: Board of Commissioners

FROM: John and Noelle Shachter

RE: Consideration of Right of Way Encroachment for Residential Building Project.

Property location: 04S 10W 30AB 1403

Tax lot 1403 on Dana Court Lane-Pacific City / Road Approach #6444

Dear Commissioners,

This letter is to request endorsement of our attached plan regarding constructing a retaining wall within the right of way adjacent to our property. This request is part of an in-depth design process we have undertaken to build a home on Dana Court Lane. After presenting our Road Approach Plan to Tillamook County, we have been granted a conditional approval for our design. Our hope is to create an accessible and safe approach to our new home.

After consulting with the county, structural engineers, geotechnical engineers and designers, we believe our proposal creates increased safety for automobile and pedestrian traffic by limiting the steep drop off at roads edge. This plan would create a level approach to the house adjacent to the edge of the road; currently the area within the right of way drops sharply off from the road's edge and then continues at an even slope across our site. Our proposed retaining wall will allow construction of a parking deck and entry to our home.

Additional Considerations:

- Our proposal presents no known road maintenance issues.
- Our approach presents no impact to the current road surface or flow of traffic on Dana Court Lane, other than typical driveway considerations.
- The alternative to our proposal would be a combination of retaining walls and fill to provide parking and access to home. With the steep slope of the site at roads edge this alternative could quickly become out of scale with the proposed residence and require an excessive amount to fill to achieve an accessible parking area and entry to home. Additionally this alternative would also require retaining walls and impacts to the right of way in question.
- With our plan for a smaller footprint home and raised parking, our belief is that our proposal will be accessible, safe, and have less impact on the landscape than alternatives.
- The attached plan and proposal has been vetted by structural engineers and geotechnical engineers, as well as granted a conditional approval by the county.

Our little family is very excited to be joining your community, and so far all of our communications have been nothing but positive. Thank you for your consideration. We look forward to hearing your thoughts.

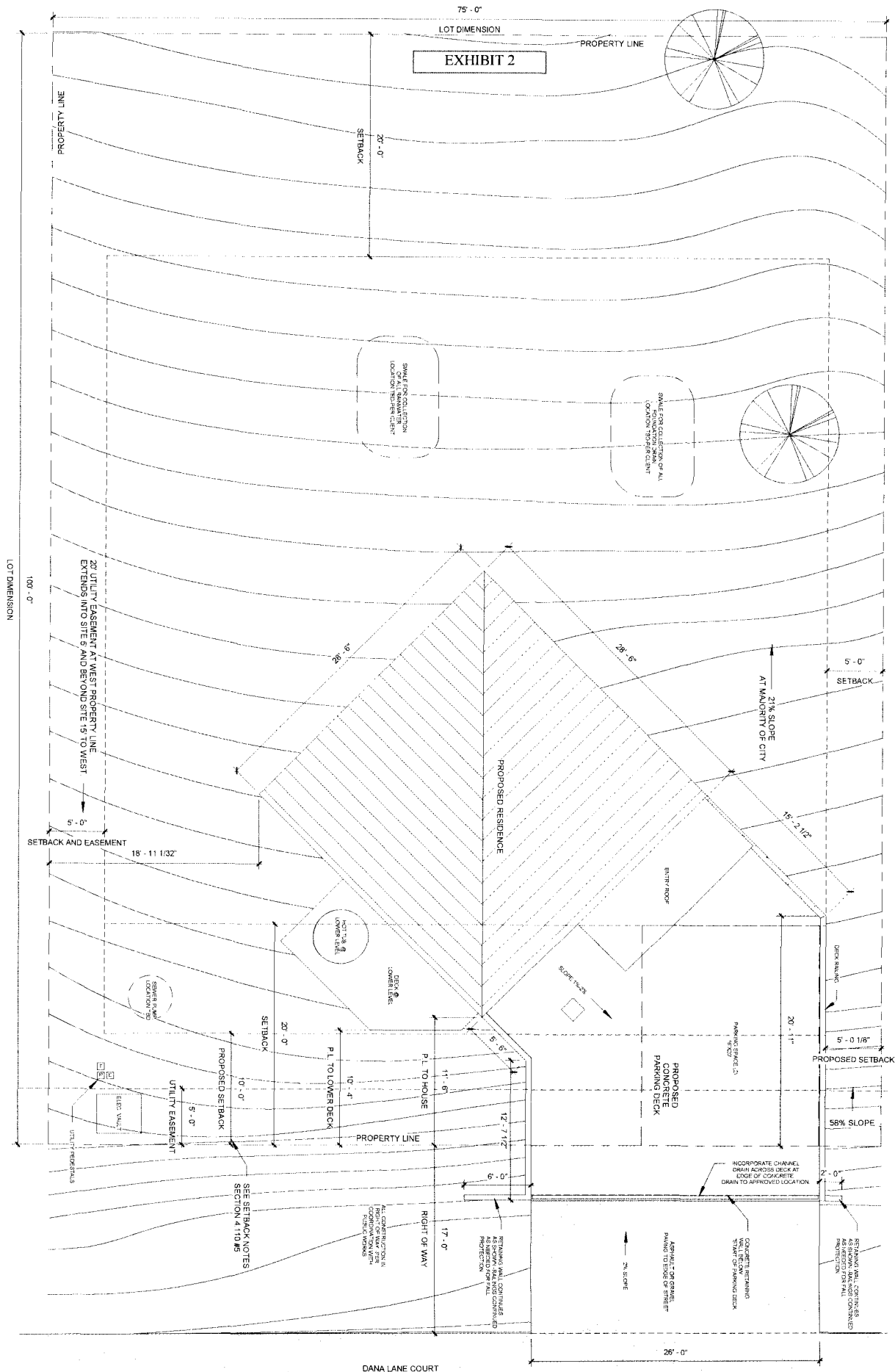
Kindly,
John & Noelle Shachter

RECEIVED

JAN 13 2021

TILLAMOOK COUNTY ROAD DEPT





A1.0

SHEET TITLE
SITE PLAN



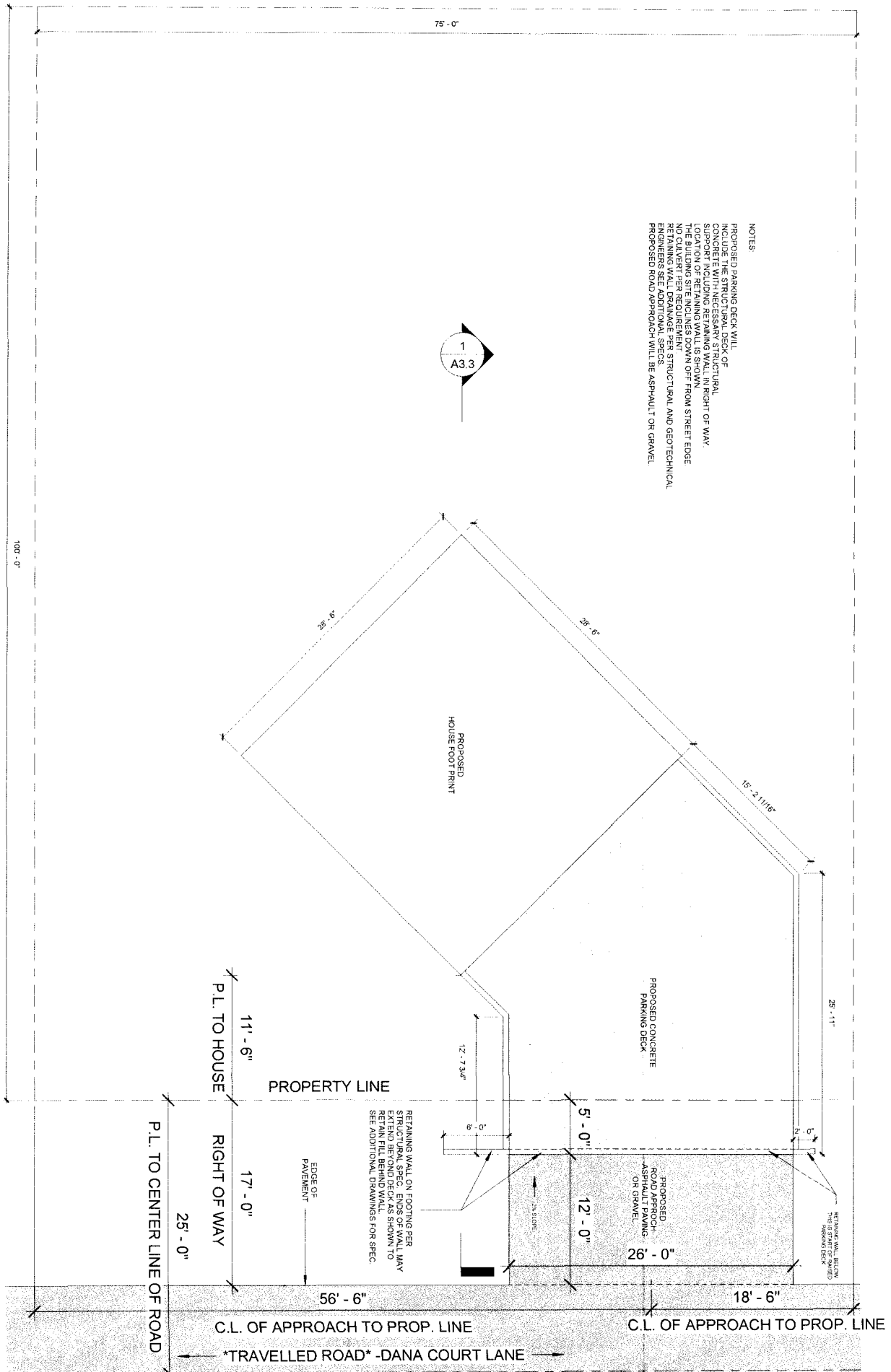
NORTH SCALE 1/8" = 1'-0"

SCHEMATIC

1403 Dana Lane Court
Pacific City, Oregon 97135

PACIFIC CITY

WESTERN INDEX



NOTES

PROPOSED PARKING DECK WILL INCLUDE THE STRUCTURAL DECK OF CONCRETE WITH NECESSARY STRUCTURAL SUPPORT INCLUDING RETAINING WALL IN RIGHT OF WAY. LOCATION OF RETAINING WALLS SHOWN. THE BUILDING SETBACKS SHOWN OFF FROM STREET EDGE. NO CULVERT PER REQUIREMENT PER STRUCTURAL AND GEOTECHNICAL ENGINEERS SEE ADDITIONAL SPECS. PROPOSED ROAD APPROACH WILL BE ASPHALT OR GRAVEL.

A1.23 APPROACH PLAN



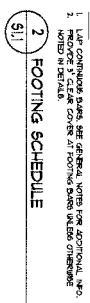
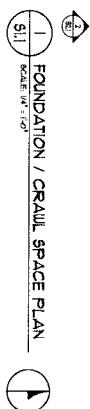
SCALE 1/8" = 1'-0"

SCHEMATIC




1403 Dana Lane Court
Pacific city, Oregon 97135

PACIFIC CITY

WESTERN INDEX



NAME	DATE	PERIOD	REMARKS
A	$14 \times 4 = 56$	$10 \times 4 = 40$	1) 56 DOLL EACH DAY
B	$4 \times 10 = 40$	$10 \times 10 = 100$	1) 40 DOLL EACH DAY
C	$6 \times 10 = 60$	$10 \times 10 = 100$	40 AT 10 DOLL EACH DAY
D	$10 \times 10 = 100$		1) 40 + 60 = 100 DOLL
E	$3 \times 10 = 30$		1) 40 + 60 = 100 DOLL
F	$3 \times 10 = 30$	$10 \times 10 = 100$	1) 30 DOLL EACH DAY
G	$1 \times 10 = 10$		1) 30 DOLL 100 + 10 DOLL 2) 100 + 10 = 110 AT 10 DOLL

	INDICATES 1000 POSTCOLUMN.
	INDICATES LOAD BEARING WALL.
	INDICATES CONCRETE WALL.

1. CONSTRUCTION SHALL VARY AT THE DISCRETION AND DIRECTION OF THE ENGINEER. THE ENGINEER MAY REQUIRE THAT THE CONSTRUCTION BE PERFORMED IN A MANNER NOT SPECIFICALLY SET FORTH IN THE SPECIFICATIONS. THE ENGINEER SHALL BE REQUIRED TO ADVISE THE CONTRACTOR OF ANY SUCH REQUIREMENTS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES CONCERNING CONSTRUCTION.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES CONCERNING CONSTRUCTION.
4. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES CONCERNING CONSTRUCTION.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES CONCERNING CONSTRUCTION.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES CONCERNING CONSTRUCTION.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES CONCERNING CONSTRUCTION.

REVIEW/SET
NOT FOR
CONSTRUCTION

920 SW 3rd Ave Suite 200
Portland, OR 97204 • (503) 244-7014
www.grunnelengineering.com

Shachter Residence
1403 Dana Court Lane
Pacific city, OR 97135

03/10/2023

PROJECT NUMBER
291515

221517

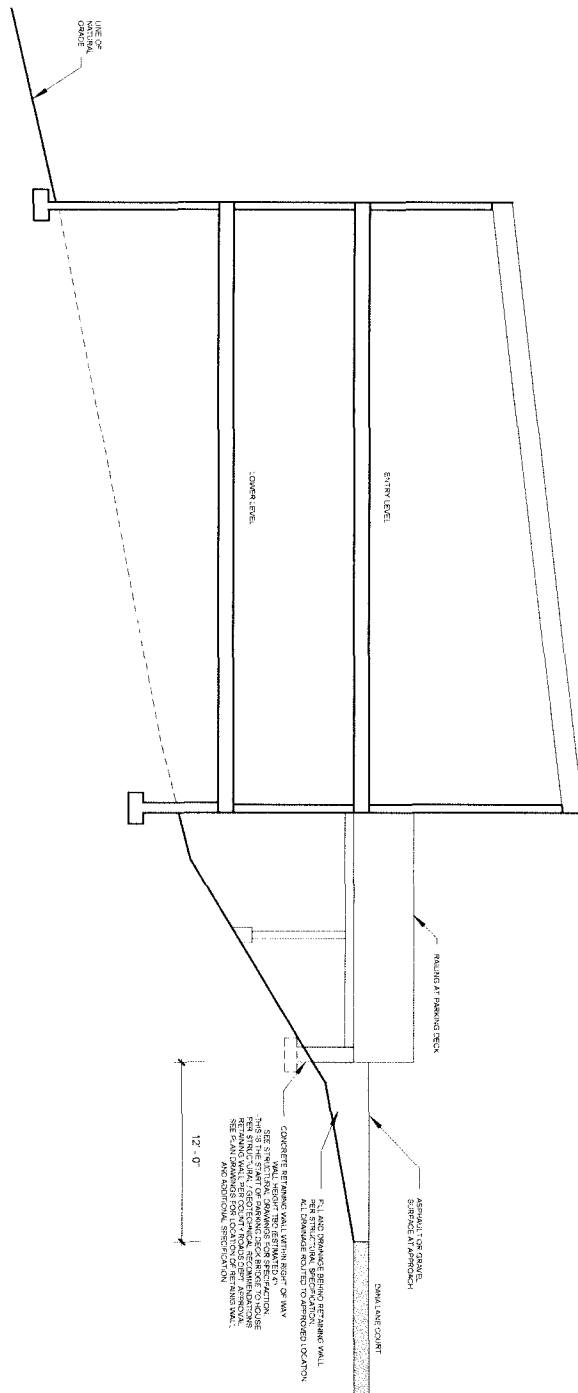
ENGINEER: SMB

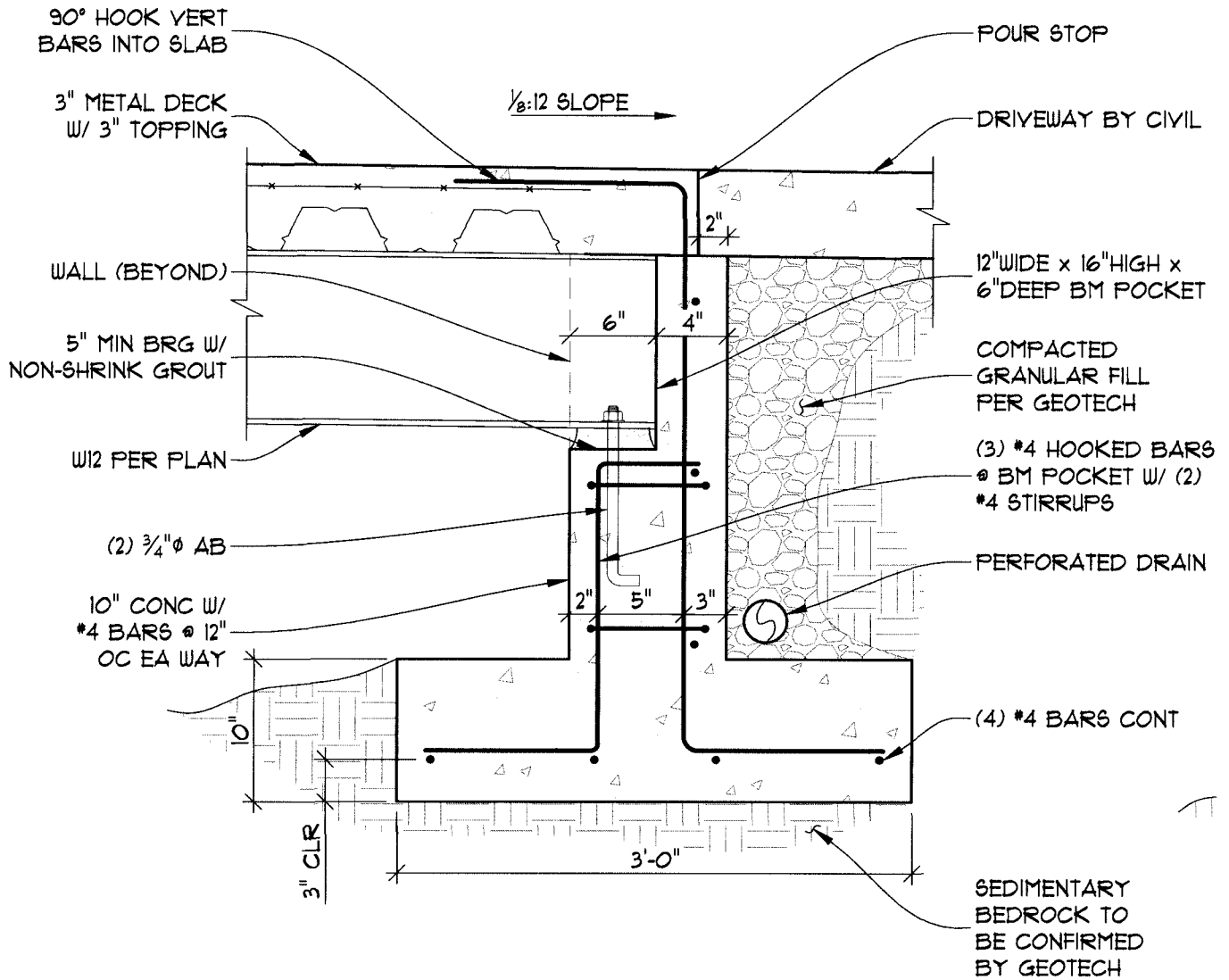
DRAWN BY: ACB

CRAWL SPACE PLAN

S1.1

1 CROSS SECTION WITH APPROACH
1/8" = 1'-0"





1
S3.3

DRIVEWAY FOOTING

SCALE: 1" = 1'-0"

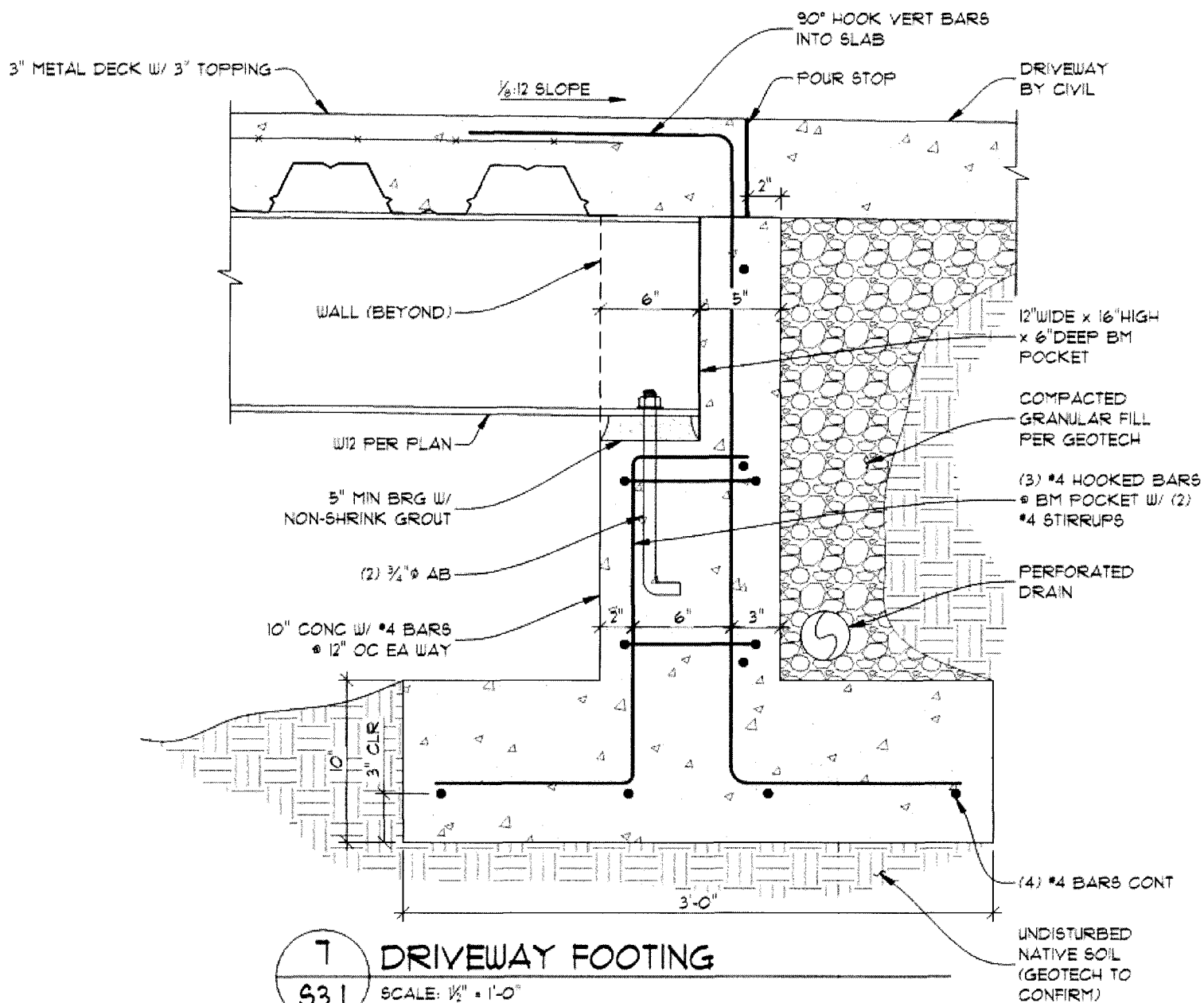


EXHIBIT 3

TRACT 'A'

PROTECTED
PROPERTY
TRACT 2
2005-11101

SEE MAP 4S 10W 30AA

KAHANA COURT

TRACT 'C'

VIEW DRIVE

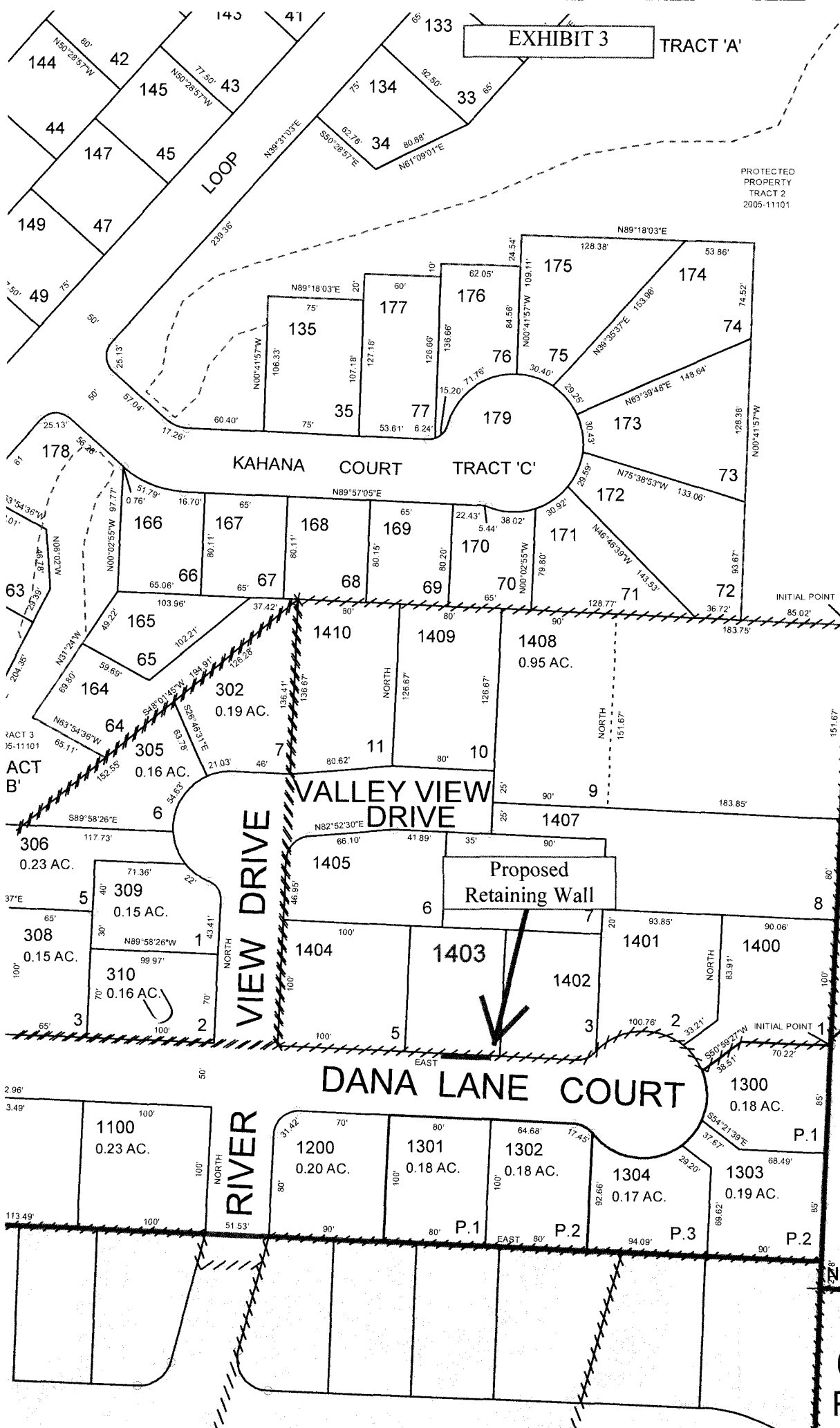
VALLEY VIEW
DRIVE

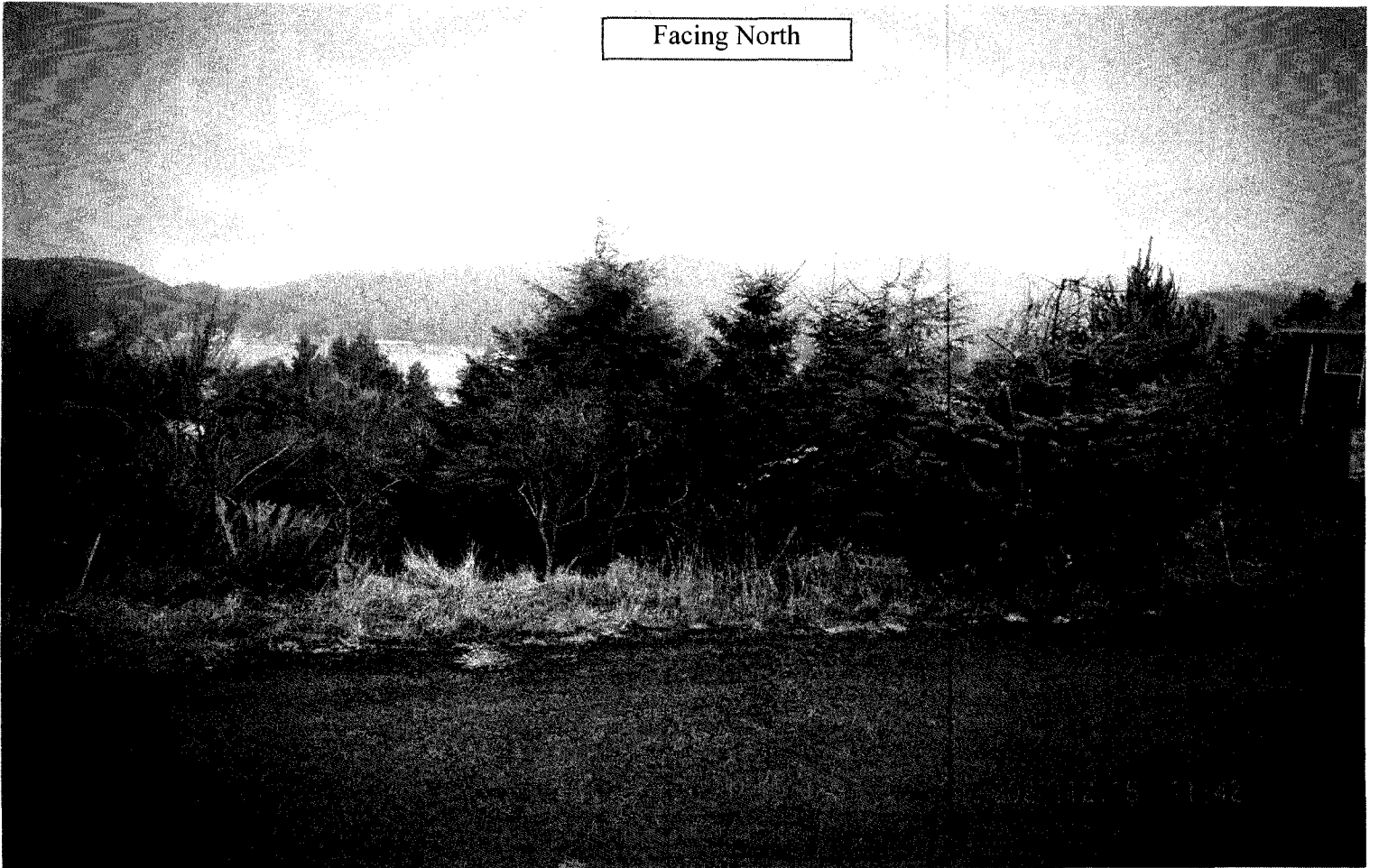
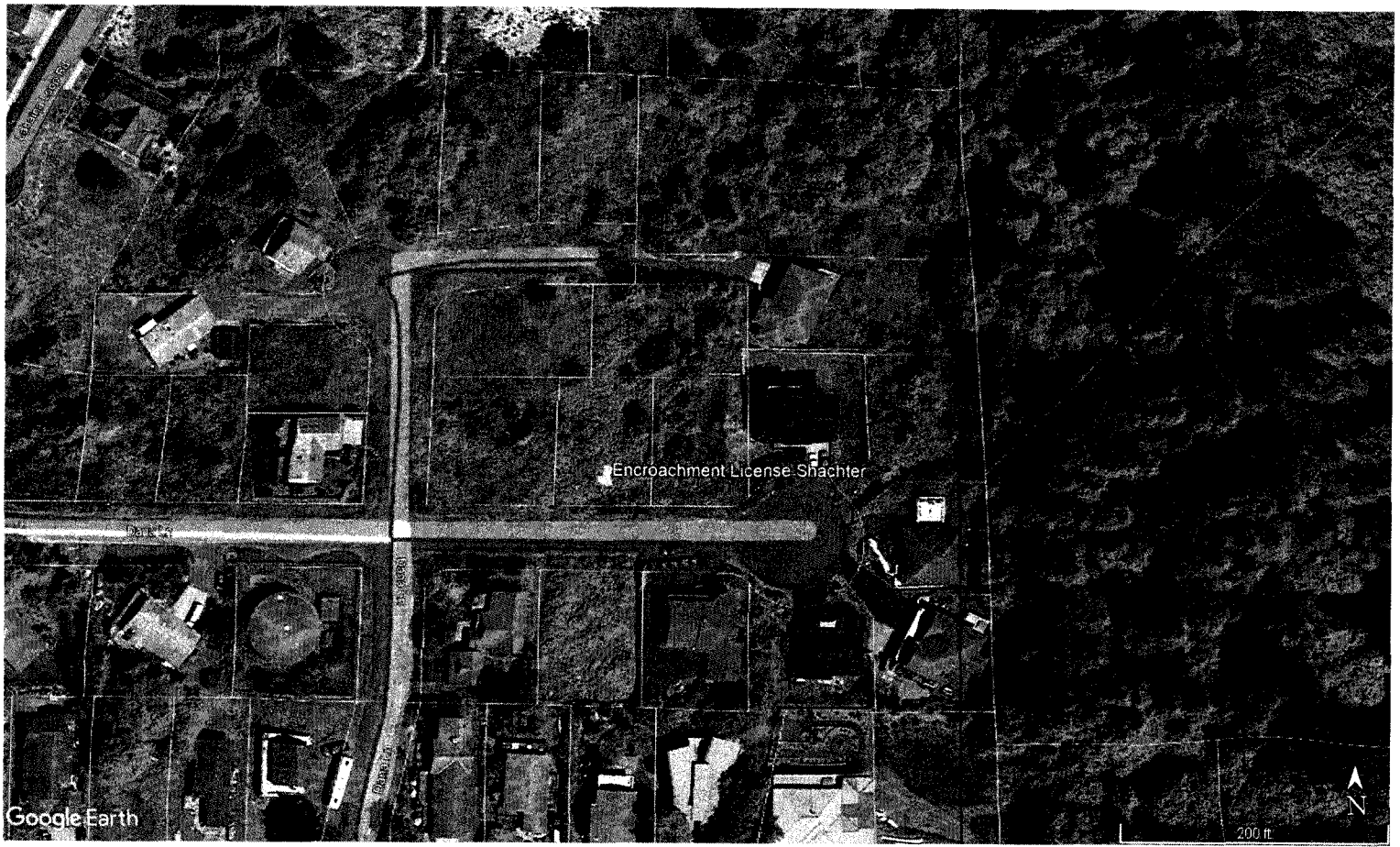
Proposed
Retaining Wall

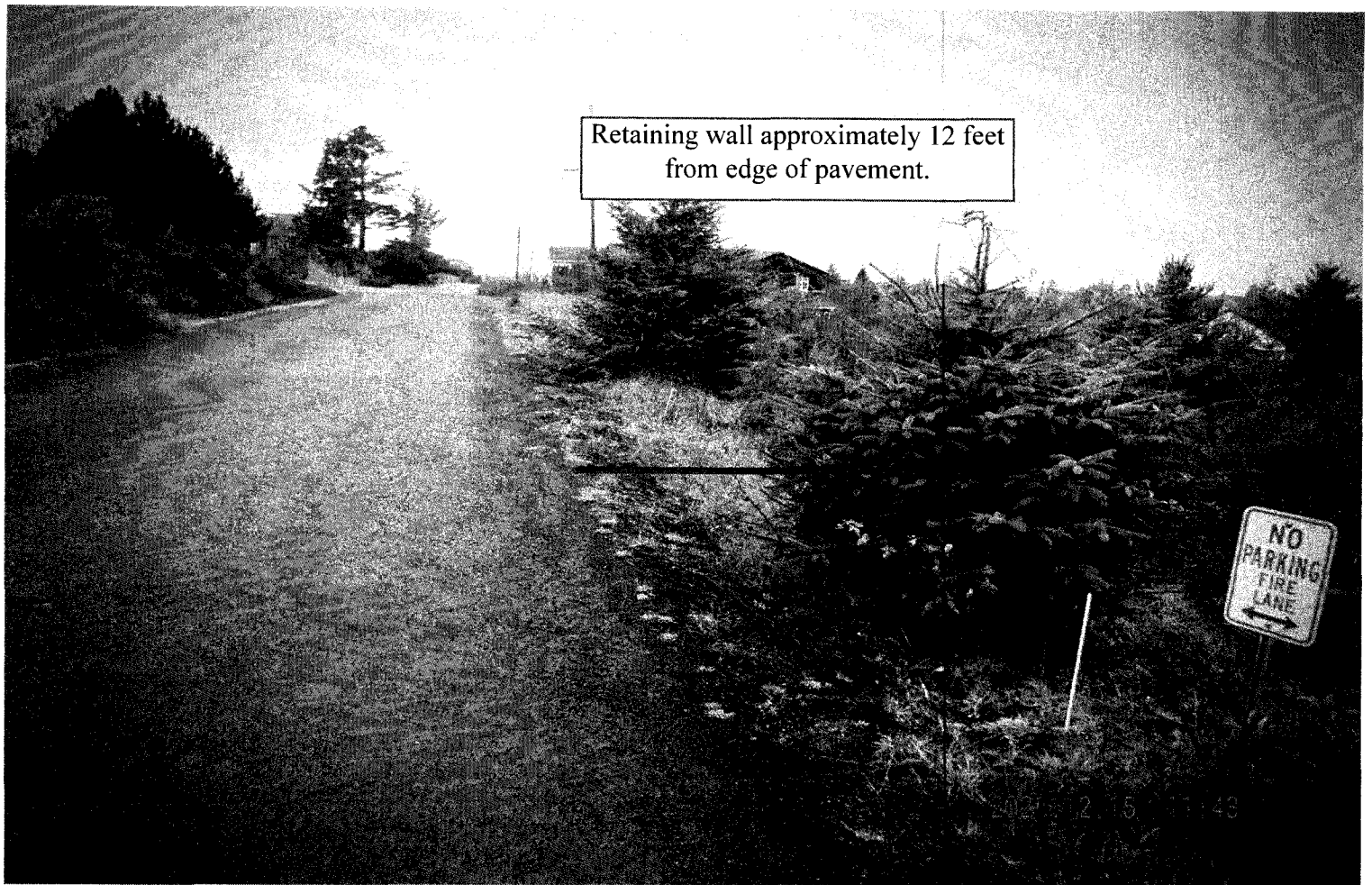
DANA LANE COURT

NE 1/16

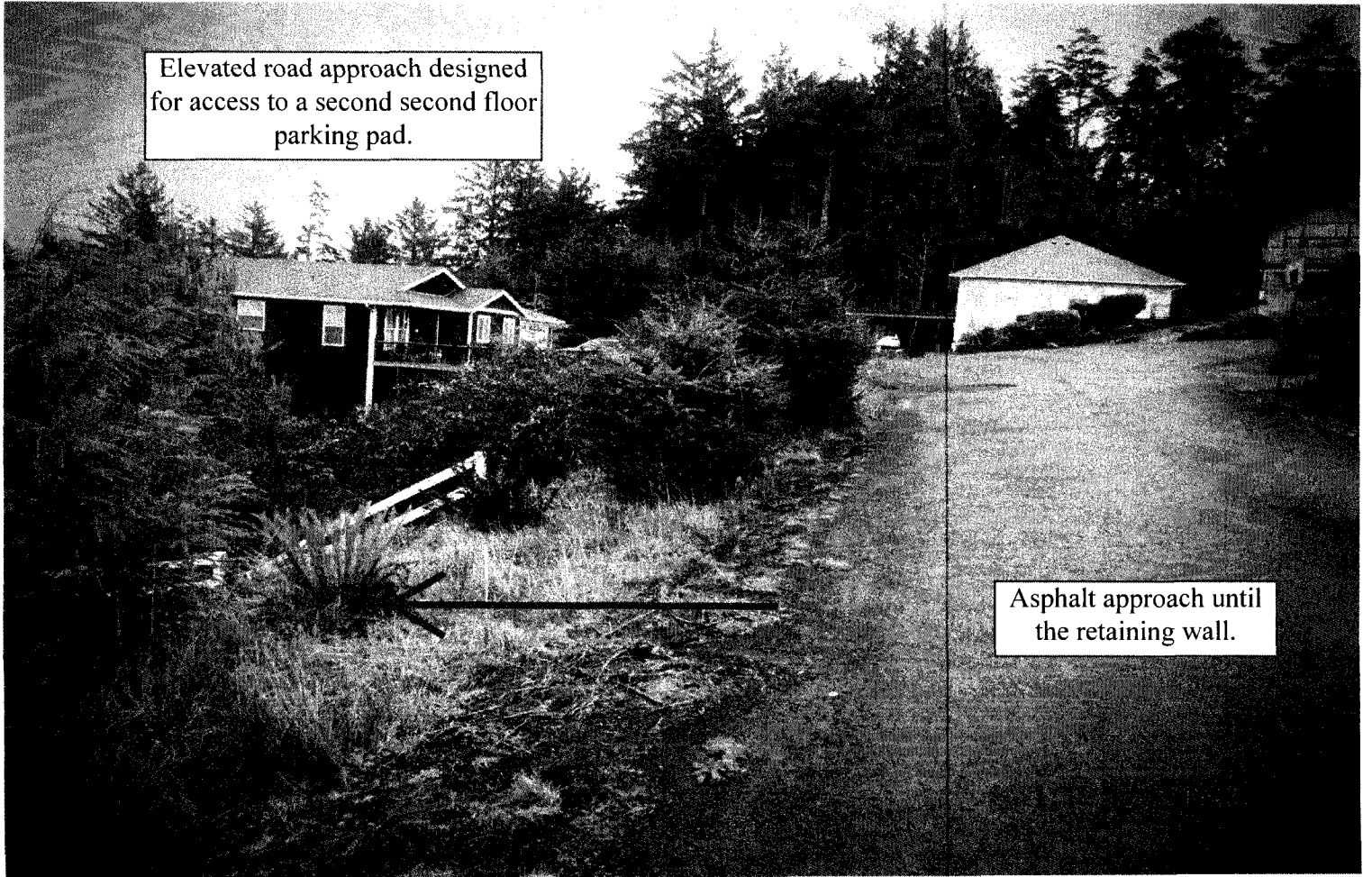
04S10W30AB
PACIFIC CITY







Retaining wall approximately 12 feet
from edge of pavement.



Elevated road approach designed
for access to a second second floor
parking pad.

Asphalt approach until
the retaining wall.

Tillamook County



PUBLIC WORKS DEPARTMENT

503 Marolf Loop Road
 Tillamook, Oregon 97141
 Roads (503) 842-3419
 Solid Waste (503) 815-3975
 FAX (503) 842-6473
 Email: pubwks@co.tillamook.or.us
 TTY Oregon Relay Service

Land of Cheese, Trees and Ocean Breeze

December 22nd, 2021

John and Noelle Shachter
 32449 Callahan Road
 Scappoose, OR 97056

RE: Road Approach Permit #6444
 Dana Lane Court – Pacific City; Tillamook County Road #940
 T04S R10W Sec. 30AB, Tax Lot #01403

Dear John and Noelle:

Tillamook County Engineering staff review of your Road Approach Permit Application and a field site evaluation is complete with the following conclusion.

This permit is issued to authorize the construction of one new road approach to access the tax lot as identified on the above noted Tillamook County Assessor's map, a copy of which is marked up and included as part of this permit. The road approach approved under this permit is a preliminary to any permanent construction or installation which will be required to be reviewed and appropriate land use and development permits issued by the Tillamook County Department of Community Development.

No portion of the right of way of Dana Lane Court is to be used for over night or weekend storage of materials, equipment or extended daytime staging. Any material staged is required to be processed onto the subject parcel in a timely manor subject to condition #2 below.

The design for this road approach includes a retaining wall that is within the public right of way. The retaining wall is outside the clear zone (5' from property line and 12' from edge of pavement) and shall not rise to a height greater than 4 inches above that of the adjacent road surface. It will be on the downhill side of the road and be used to support the parking structure near the level of the road surface. The approach material will be asphalt from the existing road surface to the retaining wall.

This design is **approved with the condition that an encroachment license is obtained** from Tillamook County Board of Commissioners for the portion that is within the right of way, or the design is modified to relocate the retaining wall within private property.

By this reference, your signed application and proposed road approach plan are incorporated into this permit.

Road Approach permit #6444 is **Approved** with the following conditions:

1. With the issuance of this Road Approach Permit it is the sole responsibility of the applicant to verify and comply with all local, state, and federal land use regulations and related permit requirements. The issuing of this Road Approach Permit in no way relieves the applicant from applicable land use laws or regulations that may pertain to the lands accessed by the construction of the herein approved road approach.
2. Blocking any road under Tillamook County Jurisdiction for more than 30 minutes is considered a road closure that must be authorized by the Public Works Department preceded by appropriate residential and

AN EQUAL OPPORTUNITY EMPLOYER

emergency service notification. As the permit holder you are required to receive prior authorization from public works for any road closure.

3. A pre-construction site meeting is required to be scheduled between myself and the contractor to finalize driveway grade and alignment.
4. Road Approach construction materials and geometry are defined on the attached specification sheet and should be followed carefully. Storm water control as depicted on the submitted site plan is approved by the public works department for construction.
5. FINISHED grade of the approach from the existing edge of the County Road to the Right of Way line is to be -2%.
6. No concrete work or landscaping is allowed in the county right of way without prior approval.

IT IS THE RESPONSIBILITY OF THE PERMIT HOLDER TO ARRANGE FOR ANY NECESSARY UTILITY LOCATES PRIOR TO EXCAVATION.

ATTENTION: 2007 Oregon Revised Statutes Chapter 757, requires you to follow rules adopted by the Oregon Utility Notification Center (OUNC). Those rules are set forth in Oregon Administration Rules Chapter 952, Division 1. You may obtain copies of the rules by calling 811 or logging on to the O.U.N.C. website at <http://www.digsafelyoregon.com/>

Before commercial use of the road approach, all improvements of the road approach shall be completed, except paving. [As stated in Ordinance #44 on page 6 & 7, Section V-E.]

Applicant or their contractor shall contact this office with a 48-hour advance notice for inspections as required prior to accessing the structure.

- A. Phase I inspection is for sub-grade prior to rock base and verification of the sight distance.
- B. Phase II inspection of completed rock base and approach grade.
- C. Final Completion of all requirements by 18 months from date of issue.

No structures, fencing, concrete, masonry, brickwork, landscaping, nor roadside hazards are permitted within the road right-of-way. All mailboxes must meet approved "break-a-way" standards for impact by vehicles.

If you have any questions, please feel free to contact or leave a message for Tillamook County Public Works at the above number between the hours of 8:00 a.m. and 4:30 p.m. Monday thru Thursday.

Sincerely,



Jasper J. Lind
Engineering Technician

Cc: Sheila Shoemaker, Department of Community Development, by email
Ryan Chandler, Contractor, by email
James Aman, Jeanette Arnold, & Zachary Hudspeth, TPUD, by email
John Wesley, Pacific City Joint Water-Sanitary Authority, by email

AN EQUAL OPPORTUNITY EMPLOYER

Residential Road Approach Permit #6444

The road approach covered by this permit shall be built in accordance with Tillamook County Ordinance #44 & constructed with the following dimensions and specifications

Public Road Dana Lane Court
 Road Number 940
 Paved X Rocked
 Mile Post n/a Eng. Station n/a
 Side of Road North
 Ditch Flow: Ahead N/A Back N/A

Applicant Full Name
 Contractor OWNER'S CHOICE
 T = 4S R = 10W
 Section = 30AB
 Tax Lot = 1403

Ordinance #44 Plan View Dimensions

W = <25' R1 = 15'
 A ° = 90° Dd = N/A
 Drw = ± 15' R2 = 15'

Public Right of Way Width = 50'

Posted Traffic Speed B.R. MPH
 Intersection Distance 190' West
 Required Sight Distance N/A FEET
 Observed Sight Distances

Right N/A Left N/A

Culvert Exst'g / Req'd NO

Culvert: N/A Concrete
N/A Corrugated Galvanized Metal
N/A Corrugated HDPE Dual Wall
 Length N/A Diameter N/A

PHASE INSPECTION (subgrade)

Date BY

FINAL INSPECTION (culvert & rock placement)

Date BY

PAVING INSPECTION (if required)

Date BY

Base Fabric Required N (Y / N)

ROCK BASE: Size & Type 3" - 0"

Compacted Depth 9"

FINISH ROCK: Size & Type 3/4"-0"

Compacted Depth 3"

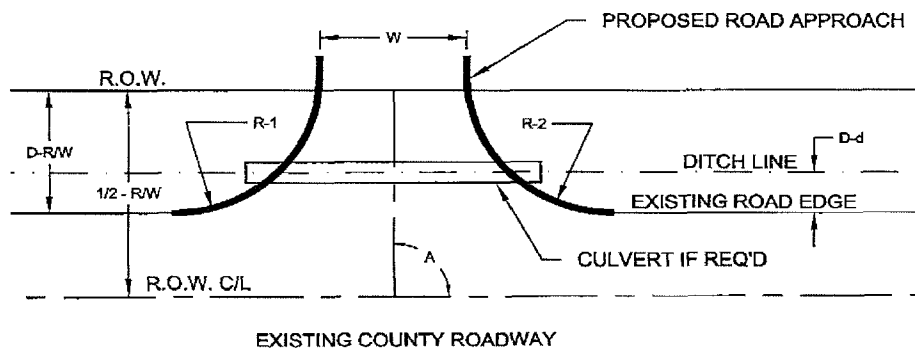
ASPHALT CEMENT PAVEMENT

Compacted Depth N/A

Number of Lifts N/A

NOTE: All placed aggregates are to be free of bio-mass and compacted to 95% Dry Density

ROAD APPROACH PLAN VIEW



Application Permit No. RA 6444

Road No. 940

ROAD APPROACH APPLICATION AND CONSTRUCTION PERMIT

NOTICE

Applicant must be the person, representative of the firm or corporation having the legal ownership of the property to apply for a Road Approach Permit. Such legal right is vested only in the owner of the property abutting the highway or the holder of an easement or similar right to construct and use an approach road upon the abutting property.

PROPOSED USE: **SINGLE FAMILY RESIDENCE** X **COMMERCIAL** _____

TOWNSHIP 4S RANGE 10 WEST, W.M. SECTION 30AB TAX LOT NO. 1403

Owner Representative- Ryan Chandler (Owners John and Noelle Shachter)

(NAME OF APPLICANT/PROPERTY OWNER)

32449 SW Callahan Road Scappoose Oregon 97056 541-590-0342

(MAILING ADDRESS AND PHONE NUMBER)

rchandler77@gmail.com

(EMAIL ADDRESS)

Dana Court Lane

(NAME OF STREET OR ROAD TO BE ACCESSED)

NO CONSTRUCTION SHALL BE ALLOWED ON THE APPROACH ROAD UNTIL THIS APPLICATION HAS BEEN ISSUED BY THE DEPARTMENT OF PUBLIC WORKS.

This application is made pursuant to O.R.S. Chapter 374 and Tillamook County Ordinance #44 (see Ordinance #44 for detailed information).

The **APPLICANT SHALL PROVIDE A MAP** accompanying this application showing the following information:

- _____ The road right-of-way lines;
- _____ The location of the traveled road in the road right-of-way;
- _____ All existing and proposed road approaches;
- _____ All existing and proposed structures;
- _____ The existing and proposed drainage ditching and culverts
- _____ The distance from the center of the road approach to the nearest property corner.

THE PROPOSED APPROACH ROAD LOCATION MUST BE STAKED AND FLAGGED ON THE SITE. A \$583.00 fee will be required at the time of application. **DOUBLE FEES SHALL BE ASSESSED FOR ANY APPLICATION RECEIVED AFTER CONSTRUCTION HAS ALREADY STARTED.** If additional trips are required because the site is not staked or flagged an additional fee of \$25.00 for each trip can be assessed.

PRIOR TO ISSUING THE PERMIT THE PUBLIC WORKS DEPARTMENT OF THE COUNTY WILL INSPECT THE SITE for proper drainage, traffic hazards and general acceptability.

REVISED 01/2017

RECEIVED

NOV 22 2021

TILLAMOOK COUNTY ROAD DEPT

THE APPROACH ROAD CONSTRUCTION SHALL COMMENCE BY THE APPLICANT AS DIRECTED BY THE COUNTY AND INSPECTED FOR COMPLETION IN THE FOLLOWING PHASES:

PHASE I: Clearing of the site, ditch excavation and subgrade of the approach. The applicant **shall request an inspection for approval**, prior to proceeding with Phase II construction.

PHASE II: Installing the culvert, placing all rock base. The applicant **shall request an inspection for approval**. **PHASE II MUST BE COMPLETED PRIOR TO CONSTRUCTION ACCESS.**

FINAL PHASE: Paving. After the paving, the applicant **shall request a final inspection for approval**.

In consideration of the applicant's agreement to comply in all respects with the regulation of Tillamook County, permission is hereby granted for construction described in the above application and in the instructions attached hereto and by this reference made a part hereof to same extent as if set forth in full. The applicant shall make all corrections as directed. Applicant agrees to save and hold harmless the County from any and all liability of whatever kind or nature arising or to arise by reason of issuance of this construction permit, the issuance thereof being for the sole benefit of applicant. Applicant is responsible to obtain all approvals or permits from other government agencies having jurisdiction affected by the proposed road approach construction site, i.e., wetlands; urban growth; riparian areas; access to county road within city.

The entire expense of maintaining said approach road shall be borne by applicant. If in the event of the reconstruction or widening of any highway, it becomes necessary to remove, alter or reconstruct the approach road constructed under authority of this permit, the cost of such removal or replacement to a like width and condition will be borne by the County. Any widening or other improvement of the approach road at the applicant's request shall be done only under authority of a new permit and at the expense of the applicant.

john shackter m noelle shackter 11/7/21
APPLICANT (PROPERTY OWNER ONLY) DATE

FOR DEPARTMENT USE ONLY

APPLICATION APPROVED: _____ 12/22/21
PUBLIC WORKS DEPARTMENT DATE

PHASE II COMPLETION REQUIRED BY: _____ **COMPLETED:** _____

(Phase II must be completed prior to construction access)

FINAL COMPLETION REQUIRED BY: _____

PERMIT NUMBER: RA 6444

FINAL COMPLETION INSPECTED AND APPROVED: _____



PUBLIC WORKS DEPARTMENT

503 Marolf Loop Road
Tillamook, Oregon 97141
Roads (503) 842-3419
Solid Waste (503) 815-3975
FAX (503) 842-6473

Email: pubwks@co.tillamook.or.us
TTY Oregon Relay Service

Land of Cheese, Trees and Ocean Breeze

March 01, 2022

John & Noelle Shachter
110 NW Hermosa Blvd
Portland, OR 97210

RE: Non-Utility Permit #5756
Dana Lane Court – Pacific City; Tillamook County Road #940
T04S R10W Sec. 30AB, Tax Lot #01403

Dear John & Noelle:

Tillamook County Engineering staff review of your Non-Utility Permit Application and a field site evaluation is complete with the following conclusion.

The intent of this permit is to provide authorization to construct a retaining wall within the right of way on the downhill side of Dana Lane Court as detailed in the sketch you provided. The application received does not identify a contractor who is planned to provide the materials and labor to complete the work. Before work commences this contractor will need to be identified and an insurance accord statement filed by them with Tillamook County Public Works.

The retaining wall is required to be a structure designed by a licensed engineer. Stamped Drawings and calculations are to be provided to TCPW prior to construction.

This work requires an encroachment license approved by the Board of County Commissioners. If issued, the property owner will be solely responsible for future maintenance and repair of the resulting structure. This responsibility will pass along with ownership of the abutting property.

By this reference your application materials are incorporated into this permit.

Non-Utility permit #5756 is **Approved** as describe above with the following requirements:

1. This permit is for work performed in the public right of way of as noted above. By the issuing of this permit Tillamook County in no way authorizes the occupation of private land adjacent to the public right of way. Any occupation of private land requires approval of the subject property owner.
2. The applicant and their contractor mutually agree to fully indemnify, save harmless and defend Tillamook County, its commissioners, officers, employees and contractors from and against all claims and actions and all expenses incidental to the investigation and defense thereof, made or brought by any person, firm or corporation, based upon or arising directly or indirectly out of damages or injuries to their persons or their property, caused in whole or in part by acts of commission or omission of their agents, employees, or licensees in connection with the work performed pursuant to this permit. Furthermore, applicant and their contractor agree to promptly repair, at their sole expense, any damage to county property occasioned by their placement of the work referred to herein.

3. Traffic control in all county Rights of Way shall be as indicated in the Manual on Uniform Traffic Control Devices (M.U.T.C.D.) for work in the Public Right of Ways under County jurisdiction.
4. There shall be a copy of this permit on the job site while work is in progress.

As the permit holder it is your responsibility to coordinate with all utilities and the O.U.N.C. as noted below.

Please notify me 48 hours prior to commencing the project and within 48 hours after the project is complete to establish the maintenance agreement start date.

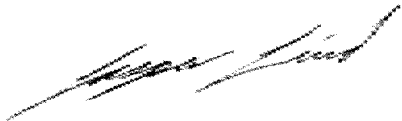
Please contact this office if the job can not be done according to permit requirements.

IT IS YOUR RESPONSIBILITY AS THE PERMITTEE TO ARRANGE FOR ANY NECESSARY UTILITY LOCATES PRIOR TO EXCAVATION.

ATTENTION: 2007 Oregon Revised Statutes Chapter 757, requires you to follow rules adopted by the Oregon Utility Notification Center (OUNC). Those rules are set forth in Oregon Administration Rules Chapter 952, Division 1. You may obtain copies of the rules by calling 811 or logging on to the O.U.N.C. website at <http://www.digsafelyoregon.com/>

The site will be inspected for restoration and clean up upon completion. There is a one-year maintenance responsibility that will start after field inspection and acceptance of restoration. If you have questions regarding this permit approval or are ready for field inspection, please feel free to contact or leave a message for me at 503.842.3419 Monday thru Friday 8:00 a.m. to 4:30 p.m. or the direct line to my desk is 503.842.2032 ext. 3110.

Sincerely,



Jasper Lind
Engineering Technician

Cc: Sheila Shoemaker, Department of Community Development, By email
John Wesley & Rachelle DeLoe, PCJWSA, by email
James Aman, Zach Hudspeth, Jeanette Arnold, TPUD, by email
Ryan Chandler, Consultant, by email

Application Permit No. NU 5756

Road No. 940

**TILLAMOOK COUNTY APPLICATION AND PERMIT FOR NON-UTILITY
FACILITIES WITHIN A PUBLIC RIGHT-OF-WAY
ORDINANCE#28**

PLEASE PRINT

John & Noelle Shachter

(Landowner / Agency Name)

110 NW HERMOSA BLVD

(Address)

4152183760

(Telephone No.)

PORTLAND, OR 97210

(City, State, Zip)

The Applicant hereby applies to perform the following operation or install the following facilities upon the right-of-way of Construction of a concrete retaining wall for parking structure

From Mile Post or (St.Address) _____

to Mile Post or (St.Address) _____

Project location/start 190 feet [N S E W] from intersection Dana Lane and Dana Lane Court

Proposed utility facility location 20 feet [N S E W] from centerline.

As shown on the plan attached hereto and by this reference made a part of this permit.

PLAN SHALL SHOW DISTANCES TO EXISTING PROPERTY PINS, MANHOLES, CENTERLINE OF ROAD AND EDGE OF ASPHALT.

TAX LOT DESCRIPTION

Township 04S Range 10W West, W.M. Section 30AB at Tax Lot 1403

The permit is for the construction, operation, and maintenance of the following type of utility facility:

Construction of a concrete retaining wall for parking structure

All activities allowed by this permit are subject to the "REGULATIONS FOR UTILITIES in Tillamook County Public Road Rights-of-Way (Ordinance #28)", which by this reference are made a part of this permit.

APPLICANT NOTE THAT UTILITIES REGULATIONS REQUIRES REMOVAL OF FACILITY UPON WRITTEN NOTICE FROM TILLAMOOK COUNTY TO REMOVE THE UTILITY FACILITY (Section 17) .

john shachter m.noelleshachter
Landowner / Agency Signature and Date

1/20/22 John Shachter, Noelle Shachter

Print Landowner / Agency Name

CONTRACTOR INFORMATION

CONTRACTOR NAME TBD

ADDRESS _____

CITY _____ STATE _____ ZIP _____ PHONE _____

Contractor Signature and Date _____

Print Contractor Name _____

PROPOSED PROJECT START DATE = SPRING /SUMMER 2022

CERTIFICATE OF INSURANCE FOR WORKING IN ROAD RIGHT-OF-WAY

ALL CONTRACTORS OR OWNER / AGENCY SHALL HAVE ON FILE A CERTIFICATE OF INSURANCE NAMING TILLAMOOK COUNTY AS CERTIFICATE HOLDER.

SPECIAL PROVISIONS TO BE COMPLETED BY COUNTY ROAD DEPARTMENT

1. A performance bond in the amount of \$ _____ shall be required prior to the issuing of this permit to cover inspection and assure compliance with conditions of permit.
2. A certificate of liability insurance has been verified. [] YES. [] NO.
3. A copy of liability insurance is [] on file, OR [] attached.
4. Activities of the operation, trenching, plowing, boring or tunneling shall be at least _____ feet from the edge of pavement **and / or** a minimum of _____ feet from center of traveled road.
5. Any feature above ground shall be a minimum of _____ feet from edge of pavement **and / or** _____ feet from center of traveled road.
6. Open cutting of paved or surfaced portion of the highway is [] is not [] permitted.
7. Asphaltic concrete patches shall be a total of _____ inches in compacted depth, _____ lift(s) of _____ inches each.
8. Maintenance of construction area and paving for all installations is the responsibility of the Applicant for one year after completion. Please contact us when completed.
9. Phone Number & Name of contact person responsible for maintenance of UTILITY FACILITY

PHONE

NAME OF CONTACT

Letter of requirements attached. YES [] / NO [].


INSPECTED AND RESTORATION COMPLETED: DATE _____

INSPECTION BY _____

FINAL INSPECTION AFTER ONE YEAR: DATE _____

INSPECTION BY _____

PERMIT # NU 5756



Public Works Administrator Signature of Permit Approval

03/07/2022

Date