

BOARD ORDERS AND MINUTES

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY (“the Board”) sat for the transaction of county business in special formal session on September 8, 2006 at 3:30 p.m. in Room 32 of the courthouse, Commissioners Leslie Lewis, Kathy George, and Mary P. Stern being present.

Also present were John M. Gray, Jr., County Counsel; Susan Mundy, Roadmaster; and Laura Tschabold, Management Analyst; Jerry Hart, 330 NE Evans, McMinnville, and a number of residents of the Hidden Hills Road area including Joyce Lingle, Jack Vining, Diane Frelka, Steven Rupp, Marv Balwit, and SuAnn Reddick were also present. (No sign-in sheet was completed.)

Commissioner Lewis reconvened the meeting at 3:40 p.m., as continued from September 6, 2006.

1. Hidden Hills Road / bridge repair issues.

Mr. Gray said that in his opinion the Board does not have a duty to repair the bridge, but is authorized under State law to expend county funds to make repairs if it chooses and based on a determination that an emergency exists. He stated there are two issues which concern a number of the residents: repair of the current structural problems and development of a process whereby the homeowners can deal with costs of upkeep and repair in the future.

Ms. Mundy stated that ODOT has inspected the bridge and will allow a three-ton limit until October 1, 2006; after that date, based on the inspection report, ODOT will expect the bridge to be closed if repairs have not been completed. Ms. Mundy stated the ODOT Bridge Division representative estimates repairs will take four to five days, with one or two days for mobilization. She stated ODOT will not undertake any work before the appropriate regulatory agencies are contacted, including the Division of State Lands, and Army Corps of Engineers. She said she will have a cost estimate next Monday, September 11. Ms. Mundy stated that because the repairs will not be realigning the existing bridge footprint, an emergency permit should be granted promptly. She said she is hopeful that ODOT may allow some flexibility with the October 1st date; however, it is very important to repair the bridge before the rainy season begins.

Jerry Hart, attorney representing some of the homeowners, stated that although there is no formal Hidden Hills homeowners association, for a number of years there has been a voluntary, loosely knit road association. He said there are 41 homeowners or renters, with 100 people using the bridge for access to and from their homes. However, some homeowners have never and apparently never will contribute to the upkeep of the road and bridge.

Mr. Gray stated that the cooperative road improvement project (“CRIP”) policy may be an ideal fit for this situation because the county provides the inspections and issues the permits, etc.,

at no cost, and the homeowners pay for the materials. He said the CRIP may be the best short-term solution in this situation; then the neighbors could work on developing financing for future repairs and improvements.

Mr. Gray outlined some of the choices the neighbors have in developing a road association or district. He said that typically formation of a special district is an approximately two year process. There was discussion of bridge ownership. Mr. Gray stated that roads and bridges are dedicated to public use and the county could, theoretically, vacate its interest in the bridge and road. He said the county is not liable for damages that occur as a result of failure to expend county funds on a local access road.

Mr. Gray outlined the road vacation process and associated fees, stating that once vacation occurs, the road and bridge would be private, no longer under the jurisdiction of the county. He said the county does not establish weight limits for private roads, nor does it inspect private bridges.

There was a lengthy discussion regarding various options to resolve the neighborhood situation. Ms. Stern stated she would ask the sheriff for more patrols to enforce the three-ton load limit for the bridge until it is repaired.

Commissioner Lewis stated the Board's next informal session is scheduled for 3:00 p.m., Monday, September 11, and discussion with the roadmaster will continue at that time.

2. Public Safety Infrastructure Policy. Mr. Gray stated that he, Bill Gille, Mike Brandt, Ken Friday, and Rick Sanai have all worked to develop the policy, incorporating some suggestions from consultant Don Ganer. He requested a work session to discuss the matter more fully with the Board. Consensus: a work session is scheduled for Thursday, September 14, 2006 at 9:00 a.m.

The meeting adjourned at 5:12 p.m.

Carol Ann White
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair LESLIE LEWIS

Commissioner KATHY GEORGE

Commissioner MARY P. STERN