

The Commission considered and signed the following agreements:

1. Agreement with Maryhill Ferry Company extending the contract for furnishing ferry service across the Willamette River at Wilsonville from November 25, 1936, to July 1, 1937.

2. Agreement with Russell Adams and Elsie Adams, his wife, covering acquisition by the state of a 3-foot strip of land along the front of the Adams property in Pendleton, described as Lot 14 of Block M, Reservation Addition to the city of Pendleton.

There being no further business to come before the Commission at this time, the meeting was adjourned at 6:15 o'clock p. m.

[Signature]  
State Highway Engineer

[Signature]  
Secretary

[Signature]  
Chairman

[Signature]  
Commissioner

[Signature]  
Commissioner

Portland, Oregon, January 7, 1937.

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the Rose Room of the Benson Hotel. Present were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
J. M. Devers, Attorney  
H. B. Glaisyer, Secretary

The Commission had under consideration the matter of providing a construction program for approximately 25 per cent of the regular federal aid funds for the fiscal year 1938. After discussion, the following program for such funds was agreed upon by the Commission by unanimous vote:

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OREGON STATE HIGHWAY COMMISSION  
PARTIAL PROGRAM  
1938 REGULAR FEDERAL AID PROJECTS  
January 7, 1937

County	Highway and Section	Miles (Net)	Kind of Work	Total Estimated Cost	Cost to be Paid from F.A. Funds
Linn	<u>SANTIAM</u> Lamb Creek-Glissade Creek	1.5	Grading	\$115,000	\$ 70,000
Tillamook	<u>OREGON COAST</u> Short Sand Beach Creek	1.2	Grading	100,000	61,000
Yamhill	<u>McMINNVILLE-TILLAMOOK</u> Muddy Creek-Pringle Ranch	2.7	Grading and Paving	150,000	91,500
Douglas	<u>PACIFIC</u> Turkey Hill-Chenoweth Park	1.13	Grading and Paving	65,000	39,600
Jackson	Talent-Bear Creek	3.20	Grading and Paving	145,000	88,400
Wasco	<u>SHERMAN</u> Shaniko	4.9	Resurfacing and Oiling	55,000	33,500
Deschutes	<u>CENTRAL OREGON</u> Horse Ridge-Brothers	26.3	Surfacing and Oiling	100,000	61,000
Umatilla	<u>OLD OREGON TRAIL</u> Stanfield-Pendleton	20.36	Surfacing and Oiling	200,000	122,000
				\$930,000	\$567,000

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The Engineer reported the final cost to reconstruct and oil the Liberal-Marquam Section of the Cascade Secondary Highway in Clackamas County by state forces, as compared with the bids that were received for such work earlier in the season. He pointed out that the low bid, which the Commission rejected, was in the amount of \$55,127.50, whereas the actual cost of the work performed by state forces, including both construction and engineering, amounted to \$46,317.10, or a saving of \$8,810.40. The Commission approved the report and ordered it filed.

The Attorney reported a complaint from the Deputy Sheriff of Douglas County, concerning the location of the gasoline pumps of Cowan's Garage in Yoncalla. It appears that the pumps are located so close to the Pacific Highway that cars, in being serviced, have to park partly on the highway pavement, which creates a hazard to the traveling public and has been the direct cause of a number of accidents. The Attorney advised that he wrote to Mr. Cowan, the owner of the garage, and pointed out the Commission's policy, which prohibits the maintenance of gasoline pumps or buildings of any kind so close to the highway that the highway right of way must be used in serving the public; and Mr. Cowan, in reply, stated his willingness to move the pumps if someone from the Highway Department would tell him where to put them. The Commission instructed the Engineer to provide Mr. Cowan with such information.

Reconsideration was given by the Commission to constructing a one-way ramp extending from the East Portland-Oregon City Highway to Milwaukie Avenue in Portland, so as to provide access to Milwaukie Avenue for south-bound traffic as has been heretofore requested by business interests in the Sellwood district. The Engineer estimated that such ramp would cost about \$3000. After some discussion the Commission authorized the Engineer to construct the same.

A petition was presented from 44 freeholders owning real property adjacent to the Corvallis-East Side Secondary Highway between Albany and Corvallis, in which the Commission was requested to oil this road, which they allege is in a deplorable condition due to extremely heavy traffic. The Engineer advised that there is no question that this road needs improvement; however, to resurface and oil the same would cost about \$24,000. He was instructed by the Commission to bear this project in mind for the 1937 program.

The Engineer reported on the cost to improve the intersection at Crater Lake Avenue and Main Street in the city of Medford, as previously ordered by the Commission. He estimated that it would cost about \$5300 to cut back both of the corners at this intersection, as requested by the City Planning Commission, including the replacement of existing facilities such as sidewalks, curbs, etc., and the purchase of right of way. He added that the cost could be materially reduced and, in his estimation, desired results obtained, if the corner on only one side were cut back to give Crater Lake Highway traffic an easy turn onto Main Street. He recommended the improvement on that basis in view of the large volume of traffic that enters Medford from this Highway and the necessity for such traffic to move on Main Street to reach the Pacific Highway. After discussion, the Commission approved the Engineer's recommendation by unanimous vote and authorized the project for construction in 1937.

The Engineer reported that damage is being done to the pavement on the Oregon Coast Highway at the north city limits of Tillamook by the operations of the A. F. Coates Lumber Company. It appears that the company does considerable lumber hauling on small two-wheeled iron-tired carriers which are drawn by tractors on the highway from their plant to their lumber yard, and during the movement the timbers are allowed to drag on the pavement for a distance of about 400 feet, with the result that the pavement is breaking up, necessitating costly repairs by the state. It also appears that the company has been notified a number of times to discontinue such operations on the highway but they refuse to do so, notwithstanding that it is in direct violation of the statutes; and, furthermore, the equipment that is being used in the operations is not licensed. The Engineer gave as his thought that the circumstances require drastic action immediately. He suggested that the problem might be solved by the construction of an undercrossing or by requiring the company to confine its operations to one side of the highway, which possibly could be done if the company would purchase additional property adjoining its present mill site. After some discussion of the matter it was decided that the Commission and the Engineer should confer with the company officials in regard thereto and inspect the premises at the earliest opportunity.

The Engineer discussed with the Commission the matter of posting highways for reduced loads. He said that undoubtedly a number of the highways throughout the state will have to be posted before the spring break-up occurs but there is no way of determining definitely the exact date, for which reason he would like authority from the Commission to post them whenever the need is evident, without waiting for formal approval by the Commission, such approval to be given at the first meeting of the Commission thereafter. The Commission approved the Engineer's request by unanimous vote.

The Engineer reported an offer from Mr. L. J. Simpson, Empire, Oregon, to donate right of way for the Cape Arago Secondary Highway across his property in Coos County, and to assist the Commission in acquiring additional right of way for this highway, if the Commission will authorize the completion of the survey of this road from Charleston to Cape Arago. The Commission accepted the offer and authorized the Engineer to make such survey at his convenience.

The Commission had under consideration a request from the Pacific Northwest Tourists Association, Yakima, Washington, for the services of the Director of the Travel and Information Department, to present facts and figures regarding travel on highways in the State of Oregon at a meeting of their Association which is to be held in Spokane on January 15 and 16. The Engineer gave as his thought that, inasmuch as the Commission has been working with the Evergreen Playground Association, more good would be accomplished if the Director of the Travel and Information Department would attend the meeting of that association in Seattle, which is to be held in the near future, rather than the meeting in Spokane. He therefore recommended that the Director be authorized to attend the Seattle meeting of the Evergreen Playground Association on January 11 and 12 and not the meeting of the Pacific Northwest Tourists Association in Spokane. The Commission approved the recommendation by unanimous vote, subject to confirmation by Governor Martin.

The Engineer reported that he has received an invitation to speak to the Associated General Contractors, Pacific Northwest Branch, at their annual convention, which is to be held in Spokane, Washington, on January 29 and 30. He requested authority to attend such meeting at state expense. The Commission approved the request by unanimous vote subject to confirmation by Governor Martin.

The Commission discussed at considerable length a proposed agreement with the Union Pacific Company covering the matter of snow removal on the Columbia River Highway in the Columbia River Gorge. Each clause of the agreement was carefully studied and a number of alterations were ordered, especially one having to do with the providing of liability insurance to protect the officers and employees of the State Highway Department. The matter was referred to the Attorney to redraft the agreement in accordance with the Commission's ideas and requirements.

The Commission had under consideration the application of Swift and Company, Portland, to utilize a spring on the Siuslaw Highway right of way at Cushman, Lane County, which would involve construction and maintenance of a spring box or house on this right of way. The Engineer advised that the spring is of no value to the Highway Department because there is very little water in it; furthermore, if anybody wanted water, he could secure an ample supply in the town of Cushman which is nearby. He further stated that the right of way at this particular point is extra wide and that the spring is located about 75 feet from the center line of the traveled roadway, so that the spring box would not interfere in any way with travel on the highway or with maintenance operations should the Commission grant the request. The only difficulty, he said, would be the establishing of a precedent in permitting something to be constructed on the highway right of way in violation of the Commission's present policy. After considerable discussion the Commission decided, in view of its policy, not to let the company use this spring unless it obtains a water right to the same from the State Engineer. Also, that if and when the company obtains such water right and requests a permit to construct a pipe line from the spring to its cheese factory on the opposite side of the highway and has met all of the requirements, a permit will be granted for the pipe line installation and the use of the spring.

The Commission had under consideration an order from the County Court of Douglas County, in which the County agrees to pay 25 per cent of the cost of the survey of the Roseburg-Rock Creek Section of the North Umpqua-Diamond Lake Highway in Douglas County, pursuant to previous understanding with the Commission, provided that the total payments by the county shall not exceed \$3000. The Commission reaffirmed its willingness to conduct this survey provided Douglas County and the North Umpqua Highway Improvement District will pay one-half the cost thereof. The Commission did not consider that the County Court's order covered the matter satisfactorily. It was the thought of the Commission that the county's and the district's share should be paid in cash in advance or that the county should assume the collection of the district's share and agree with the Commission to pay 50 per cent of the cost of such survey by assignment of a portion of its share of the state motor vehicle fund: accordingly, the Commission ordered that the matter be

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presented to the County Court on that basis and that a report as to the county's reaction be presented at the next meeting.

The Engineer requested authority to contract for the production of surfacing materials for two sections of the Oregon Coast Highway in Curry County, particularly between Port Orford and Euchre Creek and between Cape Sebastian and Whaleshead Creek. He said that 17,400 cubic yards of materials are needed and that it would cost approximately \$32,180. The Commission approved the request by unanimous vote.

The Engineer also requested authority to purchase \$20,000 worth of signs and \$18,000 worth of reflector buttons, being the requirements for reflector-button signs during the year 1937. He said that he is requesting authority to purchase the full year's requirements although orders will be placed only as needed. The Commission approved the request by unanimous vote.

The Engineer also requested authority to purchase 38,000 gallons of yellow lacquer, which will be needed for traffic line painting during the season of 1937. He estimated that such lacquer will cost \$1.25 per gallon or a total of \$47,500. The Commission approved the purchase by unanimous vote.

The Engineer reported that an additional caterpillar tractor is needed for the W.P.A. work on the Wolf Creek Highway. He requested authority to trade in a worn-out 10-ton caterpillar tractor, now in storage at the Klamath Falls shops, as part purchase price on a new 75-horsepower gasoline caterpillar tractor. He estimated that the total cash outlay would amount to about \$6000. After due consideration the Commission by unanimous vote approved the purchase of the new tractor and the trade-in of the old one as part purchase price thereon.

The Engineer brought up for discussion the matter of renting equipment as the state's contribution in connection with W.P.A. construction work which is being carried on on the Wolf Creek and Wilson River highways. He pointed out that the Commission at one time authorized an expenditure of \$25,000 for such purpose on the Wolf Creek Highway and a like amount on the Wilson River Highway. However, the amount allotted for the Wilson River Highway is entirely exhausted and only \$5000 remains unexpended of the Wolf Creek Highway allotment. He advised that monthly expenditures have been running approximately \$4000 on the Wilson River Highway and \$3000 on the Wolf Creek Highway, and, if it is the intention of the Commission to contribute additional sums for such purposes on these roads, the amount should be authorized at this time. After considerable discussion the Commission authorized, as a temporary proposition, an additional amount of \$15,000 for both highways. The matter is to be reconsidered at the next regular meeting.

The Commission approved the payment of \$25 to the Western Association of State Highway Officials, being the annual dues of the State Highway Commission in that association for the year 1937.

The Engineer reported that conditions involving the award of the contract for the construction of the Chalk Cliff-Paisley Section of the Fremont

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Highway in Lake County have been satisfied and in accordance with authority previously granted him by the Commission he awarded, on December 19, the contract for this project to Itchner & Rigdon, Barlow, Oregon, who submitted the low bid therefor in the amount of \$77,549.60, on December 17, 1936. The Commission approved the award of this contract as reported by the Engineer.

The Commission considered and denied the request of contractors Joplin & Eldon for relief from payment of an engineering penalty in the amount of \$669.59, representing extra engineering expense incurred by the state for the failure of the contractors to complete the construction of the Yamhill County Line-Stratton Ranch Section of the Salem-Dayton Secondary Highway, contract No. 1736, within the time limit specified in the contract, it being the thought of the Commission that the contractor was wholly responsible for the delay and that they were very slow in organizing to carry on the work and getting the job under way.

The Engineer reported a number of inquiries as to whether or not the Commission would permit lunch counter privileges on the Highway Department's shop premises in Salem. He recommended that such privilege be denied. The Commission approved the recommendation.

A letter was presented from Arthur L. Peck, Chairman, Subcommittee of the Roadside Protection Committee, State Planning Board, acknowledging receipt of the Engineer's letter to Mr. Robert W. Sawyer, member of this committee, relative to the control of service club signs on state highway rights of way. Mr. Peck advised that, while the individual members of his committee are in accord with the Engineer's ideas on this subject, they are of the belief that the matter should be placed before the State Planning Board for final decision, but the committee will recommend that the Board do everything within its power to support the Highway Commission in the removing of these signs from state highway rights of way. The Engineer inquired, in view of this letter, whether or not he should prepare a letter to be sent to all service clubs and other similar organizations, requesting their cooperation in ridding the highways of such signs. In the discussion which followed it was brought out that a bill covering this subject is to be presented to the legislature at its next session. In view of this information the Commission thought it advisable to defer sending the letter until the legislature has acted. However, the Commission by unanimous vote approved the form of the letter as prepared by the Engineer.

The Commission had under consideration a request from the Pacific Power and Light Company to use chain-type insulators in connection with the installation of their power line across the Pendleton-Cold Springs Highway in Umatilla County, rather than double cross-arm construction as heretofore ordered by the Commission for such installations. The Secretary explained that the company proposes to construct its pole line on private property up to this highway and across the same and then for a short distance along the highway, which involves an angle in the line at the point of crossing, and the company prefers not to use double cross-arm construction on its poles at the crossing because, they allege, it is not standard construction and creates an undue hazard to the men who are obliged to work on the poles. He also said

that he inquired of several pole line companies and of the electrical engineer in the offices of the Public Utilities Commissioner as to the use of chain-type insulators, and was advised by all that it is the latest type of installation and they approve it without hesitation. After some discussion the Commission by unanimous vote approved the request of the Pacific Power and Light Company for this particular installation and authorized the installation of chain-type insulators in connection with other pole line installations at similar locations.

The Commission considered, but deferred action until its next meeting, the matter of abandoning, as a part of the state highway system, a section of the Oregon Coast Highway immediately south of the old ferry landing at South Beach, Lincoln County, it being the thought of the Commission that it might be advisable to retain this road so as to provide an entrance to the state park located at this place. The Engineer was instructed to see that the road is barricaded at the ferry slip so as to be sure that traffic will not run into the bay by mistake and place the state in a position of being liable for damages. During the discussion of this matter it was brought out by the Parks Engineer that it would be advisable for the Commission to acquire a small tract of land between the present park and the Yaquina Bay Bridge approach so as to fill out the park area. The Commission authorized him to secure options for the purchase of this property.

The Commission had under consideration the abandonment of a portion of the old Oregon Coast Highway within the city limits of Reedsport. The Engineer advised that the old highway at this location is no longer needed for state highway purposes and recommended that it be turned back to the city for maintenance. The Commission approved the Engineer's recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in order to afford better alignment and more satisfactory, safe and convenient highways for the traveling public, the Commission found it necessary to relocate portions of the Oregon Coast Highway lying within the city limits of Reedsport, Oregon, and to relocate a portion of the Umpqua Highway lying within the city limits of Reedsport, Oregon; and

WHEREAS, by reason of said relocations and the reconstruction of said sections of said highways there were eliminated and made unnecessary as parts of the completed highways certain sections, which sections or parts are more specifically defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission the purpose and plan of the Commission to abandon as parts of the state highway system the fragments or portions of right of way hereinafter designated and heretofore included within the area of the right of way of the highways as formerly located, improved and used; and

WHEREAS, in connection with the relocation of the Oregon Coast Highway there was accomplished a change in the point of entrance of the highway into the City of Reedsport from the ferry landing at northeasterly end of Rainbow Street, and there was likewise accomplished the rerouting of state highway traffic over another and different route and alignment than that over which traffic using the old location was routed; and

WHEREAS, in connection with the relocation of the Umpqua Highway there was accomplished a change in the point of connection of the said Umpqua Highway with the Oregon Coast Highway, and there was likewise accomplished the rerouting of state highway traffic on the said Umpqua Highway over other and different streets and over a different alignment than those over which traffic using the old location was routed;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, a majority of members being present and affirmatively participating, as follows:

1. That the fragments of land confined within the areas hereinafter described, portions of which fragments of land were formerly within the limits of the right of way of the Oregon Coast Highway and a portion of which was formerly within the limits of the right of way of the Umpqua Highway, but which are now without the limits of said right of way as said highways have been relocated and constructed, be and said fragments of land are abandoned as parts of the right of way of said highways, and those streets of the City of Reedsport over which highway traffic was formerly routed before said highways were relocated are hereby abandoned as streets over which state highway traffic is directed by the State Highway Commission to move, and said streets hereby are relieved of any burden imposed thereon by the State Highway Commission and are left to revert to the exclusive control and jurisdiction of the municipal authorities of the City of Reedsport.

2. The fragments of land or right of way hereby abandoned and eliminated from the state highway system and the streets over which state highway traffic formerly was routed are described as follows, to wit:

Oregon Coast Highway:

Beginning at the intersection of the easterly line of Second Street and the center line of Winchester Street; thence East on Winchester Street to East Railroad Street; thence northeasterly on East Railroad Street to "L" Street; thence East on "L" Street to the west line of Twelfth Street; also

Beginning at the intersection of the north line of "L" Street and the center line of Fourteenth Street; thence North

on Fourteenth Street to Rainbow Street; thence East on Rainbow Street to the ferry landing on the Umpqua River.

Umpqua Highway:

Fifteenth Street between the north line of "L" Street to the south line of Rainbow Street.

In addition to the foregoing description of said abandoned right of way there is attached hereto a blueprint or map, marked "Exhibit 'A'", and by this reference made a part hereof, upon which map there is shown shaded in red the abandoned sections of said highways, which exhibit for identification purposes bears the signatures of R. H. Baldock, State Highway Engineer, H. G. Smith, Construction Engineer, and K. D. Lytle, Division Engineer, and bears date of December 1, 1936. \*

3. In the event there remains any physical connection between any portion of said abandoned right of way and the present highways, and by reason of such physical connection traffic from the existing highways may enter or use the said abandoned portions of the old roads to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said abandoned sections, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated sections of said state highways.

4. This resolution shall be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the Mayor of the City of Reedsport, together with a copy of said exhibit or map, for such action as the City of Reedsport may desire to take with respect to said abandoned sections of said highways, and should said abandoned sections of said highways be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the municipal authorities of the City of Reedsport, and the same shall be beyond any responsibility or supervision by the State Highway Commission.

The Commission also had under consideration the abandonment of a section of the old Oregon Coast Highway and ferry slip at Waldport, in Lincoln County, which is no longer needed for state highway purposes since the construction of the bridge across Alsea Bay at this point. The Engineer recommended that the section be turned over to the City of Waldport for maintenance. The Commission approved the Engineer's recommendation and by unanimous vote adopted the following resolution in regard thereto:

\* Map filed in right of way abandonment and retention file - No. 39

WHEREAS for the purpose of providing a method of transportation for motor vehicles, pedestrians and property of various types across Alsea Bay pending the construction of a bridge, the Highway Commission established and maintained a ferry with necessary ferry slips, approaches and other facilities; and

WHEREAS, during said time traffic using the Oregon Coast Highway through Waldport, and likewise using said ferry, was routed over that portion of Broadway in Waldport lying between the present northerly right of way line of the Alsea Highway and the old ferry slip at the foot of Broadway; and

WHEREAS, there has been constructed by the State, and there is now in operation a bridge across Alsea Bay, thereby making unnecessary the further use or operation of said ferry and the facilities related thereto, and thereby making unnecessary the use of Broadway as one of the streets of Waldport over which to route state highway traffic, and the said ferry service has been discontinued; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission the purpose and plan of the Commission to abandon as a part of the state highway system and as one of the streets of Waldport over which to route state highway traffic, that portion of Broadway in the town of Waldport lying between the present northerly right of way line of the Alsea Highway in Waldport and the old ferry slip at the foot of Broadway, and that there likewise should be recorded the purpose and plan of the Commission to abandon and discontinue the use of said ferry slip at the foot of Broadway, and all facilities connected therewith; and

WHEREAS, the Port of Alsea has indicated to the Highway Commission a willingness and desire to take over the use and control of said ferry slip and facilities and become responsible therefor;

NOW, THEREFORE, all members being present and affirmatively participating, it hereby is resolved by the Commission as follows:

1. That all that portion of Broadway in the town of Waldport lying between the present northerly right of way line of the Alsea Highway in said town and the old ferry slip at the foot of said Broadway Street, be and the same hereby is discontinued as a street of said town over which to route state highway traffic, and said portion of said street shall no longer be deemed, considered, or used by the Highway Commission for the routing thereover of traffic using the state highways.

2. That the ferry slip at the foot of said Broadway Street and all landing facilities connecting therewith, including the float approaches and piling as constructed by the County, the Port

Commission and the State Highway Commission be discontinued and no longer used in connection with the movement of future highway traffic, and shall no longer be deemed or considered a part of the Oregon Coast Highway.

3. That there is attached hereto, and by this reference made a part hereof, a map marked "Exhibit 'A'" and showing the portion of Broadway heretofore used for state highway traffic, but by this resolution discontinued and abandoned for such purpose and left to revert to the complete jurisdiction and control of the town of Waldport, and there is attached hereto, marked "Exhibit 'B'", and by this reference made a part hereof, a map showing the location of the ferry slip and facilities connected therewith heretofore used in the transportation of persons, property and vehicles across Alsea Bay as a part of the Oregon Coast Highway. \*

4. The Engineer hereby is instructed and directed to construct and maintain a barricade or blockade across the end of Broadway where the same connects with the said ferry slip so that traffic will be completely and effectively blocked and barricaded against going from the said street onto the said ferry slip or approach.

5. That the Port of Alsea be requested by proper official action to take over and assume responsibility for the said ferry slip and approaches, in which event the Port shall be permitted to remove the said barricade or blockade, but without responsibility or liability upon the State of Oregon, its State Highway Commission, officers, agents or employees.

6. This resolution shall be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Lincoln County, together with copies of said exhibits or maps, and a like certified copy shall be delivered to the Mayor of the City of Waldport, and a like certified copy to the Port of Alsea for such action as said County Court, said City and said Port may desire to take with respect to the said street and the said ferry slip and facilities.

The Commission also had under consideration the matter of designating as a primary state highway the road extending southerly from the West Side Pacific Highway near the town of Tigard, in Washington County, through Washington, Clackamas, and Marion Counties to a connection with the Pacific Highway near the White School, about two miles south of the town of Aurora in Marion County. The Engineer recommended that this road be placed on the primary highway system in order to facilitate the construction thereof and the financing of the same with federal and state moneys. After careful consideration the Commission approved the Engineer's recommendation and by unanimous vote adopted the following resolution in regard thereto upon motion by Commissioner Tou Velle, which was duly seconded by Commissioner Aldrich:

\* Map filed in Right of Way Abandonment and Retention File - No. 40.

WHEREAS, the Commission is by law authorized and empowered to designate, define and adopt as state highways such road or roads as the Commission may deem of sufficient public importance, and may improve, better, and pave the same; and

WHEREAS, a highway constructed along a route beginning at a point in the center of the West Side Pacific Highway in the Northeast quarter of the Northwest quarter of Section 31, Township 1 South, Range 1 East, W. M., in Multnomah County, and extending thence southerly through Washington, Clackamas and Marion Counties to a point on the Pacific Highway near the White School, which is approximately two miles south of the town of Aurora, will materially reduce the distance between Salem and Portland, and will afford another direct, satisfactory and convenient entrance into the City of Portland; and

WHEREAS, in the opinion and judgment of this Commission, the location, adoption and designation of a highway along the above defined route and its construction and maintenance as a state highway will be of great public importance and will contribute greatly to the convenience of the traveling public;

NOW, THEREFORE, be it and it hereby is resolved, all members of the Commission being present and affirmatively voting, as follows:

1. That a route defined and described as follows, to wit:

Beginning at a point in the center of the West Side Pacific Highway which is in the Northeast quarter of the Northwest quarter of Section 31, Township 1 South, Range 1 East, W. M., and approximately 940 feet south of the one-quarter section corner on the north boundary of Section 31, Township 1 South, Range 1 East, W. M., said point being at approximately the intersection of S.W. 55th Avenue in "Del Rey Park" Addition; thence turning to the left in a southwesterly direction and entering Washington County at a point approximately 670 feet south of the one-quarter section corner on the east side of Section 36, Township 1 South, Range 1 West, W.M.; thence continuing in a southwesterly and southerly direction, entering Clackamas County near the Northeast corner of Section 1, Township 2 South, Range 1 West, W.M.; continuing in a southerly direction approximately along the line between Washington and Clackamas Counties to a point near the southeast corner of Section 12, Township 2 South, Range 1 West; thence turning in a southwesterly direction in Washington County, crossing the Tualatin River approximately 850 feet south and 900 feet easterly from the one-quarter section corner on the north boundary of Section 24, Township 2 South, Range 1 West; thence continuing in a southwesterly direction to a point on the Washington-Clackamas County Line, which is approximately 1320 feet west of the

Northeast corner of Section 11, Township 3 South, Range 1 West; thence continuing southerly through Clackamas County (crossing the Willamette River approximately 1100 feet north and 1320 feet west of the Southeast corner of Section 23, Township 3 South, Range 1 West) to a point on the Clackamas-Marion County line which is approximately 1320 feet west of the Southeast corner of Section 35, Township 3 South, Range 1 West; thence in a southwesterly direction (in Marion County) to a point of connection with the Pacific Highway in the Northwest quarter of the Northwest quarter of Section 26, Township 4 South, Range 1 West;

be and the same hereby is designated and defined and adopted as the route of a state highway which shall be known as the West Portland-Hubbard Highway, No. 51.

2. That the survey, field notes, maps and other engineering data relative to the location and survey of said proposed highway be and the same hereby are approved and adopted and are ordered filed in the records and files of the Commission at Salem, Oregon, and said survey, route and location, subject to such modifications and changes as may be deemed necessary by the Highway Commission, shall be and are the survey, route and location of said road.

3. That said route hereby is qualified for the construction thereover of a state highway with state highway funds to the same extent and in the same manner as are other state highways.

4. Be it further resolved that the Secretary of the Commission be instructed to enter this resolution in the minutes of the Commission and transmit a certified copy thereof to the County Court of Multnomah County, the County Court of Clackamas County, the County Court of Washington County, and the County Court of Marion County.

The Commission considered the matter of designating certain county roads in Klamath County as secondary state highways. During the discussion it developed that the right of way for all of these roads has not been cleared, which is one of the prerequisites to the placing of these roads on the secondary highway system. In view of the circumstances, the Commission deferred action on this matter until the right of way matters have been satisfactorily disposed of.

In this connection the question arose whether or not the state or the county should purchase the right of way needed for the proposed secondary highway which is to extend directly west from The Dalles-California Highway at a place known as Mack's Store, to a connection with the Klamath Falls-Weed Highway. It was the decision of the Commission that the state should acquire the right of way for the new section when the project comes up for construction as a secondary state highway.

A letter was presented from the Depoe Bay Memorial Committee, Portland, Dr. Thomas W. Ross, Chairman; Ben Hur Lampman, Treasurer; requesting permission of the State Highway Commission to erect a memorial on State Highway Department property at Depoe Bay commemorating two young men, Roy Bower and Jack Chambers, who lost their lives in attempting to rescue a fog-bound fishing boat containing three people, just outside of the harbor of Depoe Bay. The Commission referred this matter to the Parks Engineer with full power to act.

The Parks Engineer brought up for discussion the matter of renewing the lease held by E. H. Lampport, Medford, on a cabin site located in Casoy State Park adjacent to the Crater Lake Highway, in Jackson County. He gave as his thought that the lease should not be renewed because, once a section of public domain is set aside for the private use of an individual, the purpose and intent of the parks has been defeated, and, if such special privilege is granted to one individual, the way would be opened up for others to apply for the same privilege. He recommended that the lease be not renewed. The Commission approved the recommendation by unanimous vote.

The Attorney brought up for discussion the matter of acquisition of right of way for the proposed new highway up the Columbia River. He said that negotiations with the property owners reveal that there will be considerable litigation in connection with acquiring this right of way, which, indications are, is going to cost the state a considerable sum of money. He further stated that the property owners intend to resist the ownership by the state of land situate between the low- and the high-water mark of the Columbia River. He gave as his thought that this point should be clarified as soon as possible so that the ownership of this area can be definitely determined and used in connection with the negotiations. He accordingly requested authority from the Commission to attempt to secure a declaratory judgment affecting the rights of the property owners as against the state's rights along this section. The Commission approved his request by unanimous vote.

During the discussion of this matter it was brought out that there is a possibility that the State Land Board has control of and title to the area between the low- and high-water marks. It was thought advisable to secure the transfer of such title, if possible, from the State Land Board to the State Highway Commission and it was agreed that the Commission should confer with the State Land Board in regard thereto. Chairman Cabell was authorized by Commissioners Aldrich and Tou Velle to represent them in a discussion of this matter with the State Land Board as soon as a meeting can be arranged, it being understood that the Commission as a whole would confirm at the next meeting any action taken by the Chairman at such conference.

The Attorney requested instructions in regard to the granting of landing rights or docking privileges along the Columbia River in front of the proposed new highway right of way. He explained that in negotiating with the owners of the property that fronts on the river, he had been confronted with demands for such privileges and for other things, such as the construction of private roadway approaches, and, in one instance, for a railroad grade separation structure of some kind on a private road extending

from the present highway to the new highway. It was the consensus of opinion of the Commissioners that such special privileges should not be granted and that the side roads should not be constructed up to the highway except at infrequent intervals. Furthermore, that the state should not construct railroad grade separation structures on the side roads. The Attorney was instructed to negotiate for the right of way on such basis when the negotiations are continued; however, such negotiations are to be discontinued until the matter of ownership of the water frontage has been definitely determined.

The Attorney also brought up for discussion matters pertaining to the acquisition of right of way needed for the Wolf Creek Highway through the holdings of certain timber companies. He advised that the Commission previously entered into written agreements with the companies whereby the Commission was granted the privilege of constructing the highway across the properties in question prior to the culmination of right of way negotiations, the thought being that the negotiations would be completed with dispatch as soon as prices could be agreed upon, and, if agreement could not be reached as to the prices, then the state would condemn. He further advised that he recently conferred with a representative of the Western Timber Company, which is one of the companies involved, with respect to that company's property, and the company alleges that they will be put to extra expense by reason of the isolation of a portion of their timber unless the use of the highway at this particular point is delayed for approximately two years, which is the length of time they estimate it will require to log this particular tract. It was the company's desire, he said, to avoid this extra expense, if possible, and they are asking for an opportunity to talk the matter over with the Commission and arrange, if possible, some way to save the expense which they naturally would have to pass on to the state. After considerable discussion the Commission authorized the Attorney to advise the Western Timber Company that the Commission will be glad to discuss this matter with them and to arrange a date for the meeting.

Mr. J. W. McInturff, City Attorney, Marshfield, came before the Commission at this time in regard to the proposed improvement of the Oregon Coast Highway at the south city limits of Marshfield. He said that the city has entered into an agreement with the company that is to do the dredging work and has adopted all necessary ordinances in regard to the same and is now ready and willing to enter into its written agreement with the State Highway Commission relative to construction and right of way. He advised that the city has already constructed certain dikes or bulkheads which are needed to confine the dredged materials, which bulkheads have been constructed to an elevation of 10.3 under the assumption that the dredging company would fill in to that elevation; however, the city cannot guarantee that the dredged fill will be constructed to that height but will give the state the benefit of all of the fill that it gets from the dredging company.

The Commission's Attorney read aloud the various clauses of the proposed agreement between the Commission and the city, which clauses were discussed in detail and were revised to the satisfaction of all parties concerned. The main provisions of the agreement are to be the same as were agreed upon

between the city officials and the Commission at the meeting held on December 17. On account of the necessity for early action, the Commission authorized the Engineer, by unanimous vote, to proceed with the raising of the trestle on the present highway route to conform with the new highway grade line. The Attorney was instructed to rewrite the proposed agreement in conformance with the ideas expressed at this meeting and forward the same to the city for acceptance.

The Commission adjourned at 12:00 o'clock M. to reconvene at 2:00 o'clock p. m. in the same room.

The State Highway Commission reconvened at 2:00 o'clock p. m. in the Rose Room of the Benson Hotel with all members present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

The Commission conferred with the following members of the League of Oregon Cities relative to the diversion of a portion of the State Highway Department's revenues for use in financing the construction and maintenance of city streets that are not on state highway routes: George McGee, City Manager, Hillsboro, and Chairman of the Gasoline Tax Committee; C. G. Reiter, City Manager, Bend, and President of the League of Oregon Cities; L. G. Apperson, City Engineer, Portland; H. S. Deuel, City Councilman, Medford; H. W. Hand, City Councilman, Corvallis; J. L. Lewis, City Attorney, Corvallis; T. W. Munyan, Mayor, Lebanon; E. J. Bayliss, Mayor, Sheridan; J. W. McInturff, City Attorney, Marshfield; J. E. Beeler, City Recorder, St. Helens; and Herman Kehrl, Executive Secretary, League of Oregon Cities.

Mr. McGee headed the group and introduced the speakers. He said that the cities of Oregon for many years have endeavored to secure a portion of the state highway funds for city street improvements but to date have not been successful in their attempts, although they feel that their endeavors are fully justified because the city streets carry such a large volume of traffic which pays the same gasoline tax as highway traffic pays but they do not use the state highways and are getting very little direct benefit from them. He said that the League of Oregon Cities is going before the state legislature with a bill to give the cities a portion of the Highway Department's revenues so that they will receive benefits similar to those that the cities in the states of California and Washington receive. They will propose, he said, a distribution of the funds on the population basis and they feel that \$1.50 per capita is a fair amount. He added that their proposed bill provides for a diversion of 5 per cent of the State Highway Department's revenues in 1937; 6 per cent in 1938; 7 per cent in 1939; 7½ per cent in 1940, and not less than \$1,000,000 per year after that date if the percentage at that time reaches such amount.

The State Highway Engineer inquired whether or not such distribution to the cities would relieve the State Highway Commission from maintaining the city streets that are state highway routes. Mr. McGee replied in the negative—that the state would be required to maintain state highway routes within cities as at present. The State Highway Engineer also inquired if the percentages referred to only the gasoline tax or to the total revenues of the

Commission. Mr. McGee replied that it is figured on the total revenue, which, they understand, is about \$13,000,000 per year gross at the present time.

Mr. McInturff stated that there are many paved and improved city streets in the state that are badly in need of repair and the cities do not have the funds now and cannot raise the amounts necessary to improve them, which is their principal reason for asking for a portion of the State Highway Department's revenues. He also said that it is an absolute necessity that the cities have some relief and, in their estimation, the only place to secure such relief is from the state highway fund, which is the source of funds of cities in the states of Washington and California and in seventeen other states. He also said that they realize that their program must come before the legislature under some guise, otherwise chaos will result, and he asked the Commission to authorize its Attorney to work with them in the formulation of a plan that would be just and fair to all. If something is not done, he added, it will not be long before trucks will become mired in the city streets which property owners were told twenty years ago were constructed on a permanent basis. He justified their viewpoint by the fact that such a large portion of state highway revenues comes from the cities. He also mentioned the manner in which the money should be spent and advised that some of their people are in favor of the city spending it while others feel that the money should be spent under state supervision. The purpose of the meeting today, he said, is to entertain ideas relative to the solving of the problem so that when the matter comes before the legislature a bill will result comprising the composite of the knowledge of the League of Oregon Cities and the State Highway Commission, and a joint recommendation for the same can be made to the legislature.

Mr. Reiter endorsed the arguments presented by Mr. McInturff. He said that their main object is to secure reduction in the property tax of city property owners. He suggested that it might be advisable to require the cities to match funds as a requisite to receiving state aid.

The State Highway Engineer enumerated the obligations that have to be met with the state highway funds; namely, payment of interest and principal on bonds; maintenance of primary and secondary state highways; administration; new construction, involving matching of federal moneys with state moneys, etc. He pointed out that the revenues of the State Highway Commission at the present time are barely enough to meet the obligations and secure the federal moneys which have to be matched. He explained that if any of the present revenues are distributed to the cities, it will mean that a corresponding amount of state highway construction will have to cease and the state will lose the moneys that are provided by the Federal Government.

Mr. Lewis stated that the Corvallis City Council is 100 per cent behind the State Highway Commission and will oppose any diversion of state highway revenues for illogical purposes. He agreed with Mr. McInturff that cities need state moneys to finance street repairs and gave as his thought that their demand is fully justified, but probably should not be calculated on the gross revenue basis. He said that, in his estimation, it is not right that cities should pay the gasoline tax for gasoline that is used in city equipment, such

as fire-fighting equipment, which is used only on city streets; furthermore, that it is not right, in his estimation, that the state should collect gasoline tax for other equipment that is used only on city streets unless a portion of it is turned back to the city. He agreed with the other speakers that the cities cannot raise funds by property tax to finance street improvements.

Mr. Deuel endorsed the remarks of the other speakers and said that the cities must have help and the only place to get it is from the state. Mr. Hand also endorsed the remarks of the other speakers. He voiced his approval of a round-table discussion of this subject and gave as his thought that a compromise basis for submitting the matter to the legislature could be reached. He also gave as his thought that the spirit of the law will not be violated by giving the cities some of the highway revenues.

Mr. Bayliss presented what he termed as "facts" in connection with this matter, of which the following were included: 75 per cent of the breakage of city streets is done by trucks; 75 per cent of the homes that have been lost in the last few years by small-home owners are the direct result of taxes for city street construction and repairs. He presented other "facts" and advised that all of them will be given to the Commission later in written form.

Mr. Apperson advised that the position of the city of Portland is different from that of the other cities and towns in the state and that Portland has the advantage over the others because it contains considerably more mileage of state highways. He also said that Portland is doing nicely with its city paving plant but is hard put to finance maintenance of its city streets, and accordingly will welcome additional funds from the state for such purpose. He suggested that the distribution of funds should be on the population basis.

Mr. Beeler said that the city of St. Helens is in the same category as other cities---that there are numerous streets in their city badly in need of repair but they cannot fix them because they do not have the funds to finance the work. Mr. Munyan endorsed the remarks of the other speakers.

Mr. Warren C. Hyde, member of the Executive Secretary's staff, presented certain statistics which he said were taken from the reports of the United States Bureau of Public Roads.

Chairman Cabell thanked the delegation for its presentation and advised that the matter of giving the cities a portion of the highway revenues is a problem for the legislature to decide. The city officials, he said, have the responsibility of city streets, whereas the State Highway Commission has the responsibility of state highways, and the question is, can the Highway Commission perform its functions properly if some of its funds are given to the cities? He advised that the Commission gave very careful consideration to its budget and estimated its revenues high, with the result that, after providing for debt service, maintenance, and a small amount for highway

construction that is not eligible for federal aid, found that there was only about \$600,000 left unobligated. He gave as his thought that the counties should have first claim on this balance if it is to be given to either the counties or the cities because of the precedent and for that reason the Commission told the counties that no objections would be offered to increasing the counties' share of highway revenues by an amount of \$400,000, which leaves only \$200,000, which the Highway Commission cannot agree to relinquish because it is needed for matching Federal Aid funds and to finance maintenance of certain county roads. He also said that the Commission feels that it would be unwise for the legislature at this time to allocate highway funds to the cities. He pointed out that the Highway Commission, in conjunction with the Bureau of Public Roads, is now conducting a state-wide planning survey on which future highway construction programs will be based and the Commission feels that before any radical change is made in the present financial set-up, a thorough study should be made of the data assembled from such survey. Mr. Kehrli interrupted at this point and stated that the State Highway Department's planning survey does not extend to city streets and declared that, because of this fact, it is of no value. He inquired why the city streets were eliminated from this survey. The State Highway Engineer advised that the basis for this survey was prepared by the United States Bureau of Public Roads, which promulgated the rules and regulations on which the survey is being conducted. He agreed with Mr. Kehrli that the survey will not be complete until city streets have been given consideration, and advised that it is his intention to suggest to the Commission that the survey be extended to include them. He presented figures to show the expenditures that the Commission has made within the limits of cities and towns during the past four or five years.

Commissioner Aldrich stated that the Highway Commission has given very careful study to this matter and is convinced that it would be impossible at this time to let the cities have any of the highway funds without destroying the Highway Department's setup. It was his thought that the time is not propitious to make any change in the distribution of highway funds and that such matter should wait until the highway debt service is considerably reduced.

Chairman Cabell concurred in Commissioner Aldrich's statement and added that, if the League of Oregon Cities feels that it must go to the legislature with this matter, the Highway Commission, of course, could not stop it from doing so but wants the cities to know just what the Highway Department is up against financially. The cities, he added, have logical arguments in favor of their stand, but the State Highway Department's budget cannot be reduced at this time without disastrous results to the Department.

After further discussion, Mr. McGee concluded the presentation by thanking the Commission for an opportunity to discuss the matter and by stating that they would present to the Commission a brief containing all of the arguments that were brought out at this meeting. The conference was concluded at 4:00 o'clock p. m., following which the Commission resumed consideration of the Highway Department's routine matters. Commissioner Aldrich was excused from the balance of the meeting because of a previous engagement.

The Engineer requested authority to acquire certain parcels of real property that are needed for state highway improvements throughout the state. He submitted a list of such properties together with the price that he recommended be paid for each. After careful study the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
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Powers Ranch-York Ranch Section - Williams Highway

3955-York, Jess	R/W	2.06	\$200 per a. plus \$440	Benson
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Dairy-Bonanza Section - Dairy-Bonanza Highway

3724-Casebeer, W. H.	R/W		Move fence and reconstruct ditches-\$68.58 Lump	DeSouza
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Shedd-Halsey Section - Pacific Highway

3905-Sprenger, F. J.	R/W	0.45	\$100 per a. plus \$1200	Benson
4205-Brasfield, T.H.C.	"	0.41	\$100 per a. plus \$28	"
3707-Shedd, C.J.	"	1.58	\$100 per a. plus \$133.90	"
4214-McDonald, H.R.	"	2870 sq.ft.	at 3¢ per sq.ft. plus \$63.90 and cost of moving buildings	"
4216-Brasfield, T.H.C.	"	1500 sq.ft.	at 3¢ per sq.ft. plus \$15	"
4224-Stone, Anna	"	0.104	\$200 per a. plus \$29.20	"
4230-Halverson, Henry	"	1020 sq.ft.	at 3¢ per sq.ft. plus \$15	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
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Shedd-Halsey Section (continued)

4231-Pogue, Nettie I. Est. et al	R/W	965 sq.ft.	3¢ per sq.ft. plus \$250	Benson
4232-McDonald, H. R. et ux	"	1500 sq.ft.	3¢ per sq.ft. plus \$90 and cost of moving buildings	"
4235-Shedd, C. J.	"	500 sq.ft.	3¢ per sq.ft.	"
4236-Shedd, Anna B.	"	1500 sq.ft.	3¢ per sq.ft. plus \$40	"
4227-Davis, W. B.	"	0.62	\$100 per a. plus \$49.50	"
4226-Davis, C. S.	"	7605 sq.ft.	Land \$35 plus \$15	"
4215-United Presbyterian Ch.	"	1500 sq.ft.	3¢ per sq.ft. plus \$15	"
4237-Woodman of World	"	500 sq.ft.	3¢ per sq.ft.	"
4225-Schuman, W. H.	"	1046 sq.ft.	\$10 Lump Sum	"

Foster Creek-Paisley Section - Fremont Highway

3911-Harvey, W. H.	R/W	0.52	\$50 per a. plus moving fence	McCallister
3907-Ott, Frank	"	0.52	\$100 per a. plus \$197	"
3908-Chewaucan Land & Cattle Company	"	0.70	Land gratis plus moving fence	"

Wall Creek-Siskiyou Section - Pacific Highway

1707-Dollarhide, L. D.	R/W	4.98	\$75 per a. plus \$426.50	DeSouza
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Ochoco Dam-Mill Creek Section - Ochoco Highway

3686-Yancy, Celia A. Est. Talus Pit		2.75	\$50 per a.	McCallister
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Milwaukie Section-East Portland-Oregon City Highway

3297-Birkemeier, Fred	Drain Easement		\$15 Lump Sum	Young
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Boyer-Otis Section - Salmon River Highway

2385-Boyer, John (Correction)	R/W	0.72	\$100 per a. plus \$15	McCallister
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Burns-Buchanan Section - Central Oregon Highway

3657-Harney County	R/W	7.22	Land Gratis plus moving fence	McCallister
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Forest Boundary-Elgin Section - Weston-Elgin Highway

4011-Union County	R/W	478 sq.ft. and 218 " "	Gratis	Wells
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Valley Falls-White Rock Section - Fremont Highway

3374-Boyer, Frank	R/W	0.06	\$7.50 Lump Sum	Gardiner
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Shelton Ranch-Washington State Line - Lewiston-Enterprise Highway

4203-Wilson, Albert	R/W	32.19	\$5 per a. plus \$815.50	Wells
4204-Wilson, Albert	"	1.35	\$5 per a. plus \$24.50	"
4209-Applegate, E. W.	"	17.18	\$5 per a. plus \$321.50	"
4207-Austin, L. M.	"	1.69	\$10 per a. plus \$31.75	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Middleton-Newberg Section - West Side Pacific Highway</u>				
1863-Ehret, Henry	R/W	0.08	\$1000 per a. plus \$20	Parker
1484-Addison, Chas. W.	"	0.085	\$1000 per a. plus \$365	"
<u>Lakeview Section - Lakeview-Klamath Falls Highway</u>				
4080-Lake County	Stock Pile	16 lots	Gratis	McCallister
		(54,000 sq.ft.)		
<u>Water Street-Oregon City - East Portland-Oregon City Highway</u>				
3918-Trullinger, D.L. Est.	R/W	4500 sq.ft.	Land \$1000 plus \$2500	Parker
<u>Portland-North Plains Section - Wolf Creek Highway</u>				
3293-Josephine R. Karsten	R/W	2.41	\$350 per a. plus \$256.50	Gardiner

The Assistant Attorney requested instructions in regard to the disposal of certain buildings located on the Curran property which was acquired by the Commission for right of way for the Chalk Cliff-Paisley Section of the Fremont Highway, in Lake County. He advised that the structures in question consist of a dilapidated dwelling and store building and, in his opinion, are not worth more than the salvage value of the materials in them. He stated that the resident engineer on the project had made arrangements whereby the buildings could be removed for the materials in them and he recommended that authorization to do this be given. After consideration, the authorization requested was granted by the Commission, it being apparent that there would be no profit in advertising or attempting to sell the buildings.

The Commission had under consideration matters pertaining to the acquisition of right of way for the revised City of Roseburg Section of the Pacific Highway, in Douglas County. In this connection the Attorney reported that he has encountered difficulties in arriving at satisfactory settlements with some of the property owners and it appears that he will have to resort to condemnation proceedings unless satisfactory settlements can be made otherwise. He presented a list of such properties, together with the prices that he recommended be paid for each. He asked the Commission to authorize him to offer the owners such prices and to condemn the properties if the owners will not accept the offers. After due consideration and careful study of the properties in question, the Commission authorized the Attorney to continue negotiations with these owners on the following bases:

- (1) Condemnation File No. 942. Owner, Del V. Rast. Mr. Rast has made no offer to date.
- (2) Condemnation File No. 945. John Rast Estate, owners. Owners want \$1000. Commission authorized payment of a maximum of \$10 per front foot.
- (3) Condemnation File No. 940. John V. Rast, owner. Owner demands

\$1200. Commission authorized payment not to exceed \$10 per front foot.

- (4) Condemnation File No. 932. J. E. and Regina Rast Sawyers, owners. Commission authorized payment of \$6,600 for right of way required, plus a small strip of land between the right of way and Rast Alley, including a house located thereon.
- (5) Condemnation File No. 941. Maude Rast Kidder and Gertrude Rast, owners. Involves acquisition of right of way plus a small strip of ground between the right of way and Rast Avenue. The Commission authorized settlement of \$2,250, the owners to keep the house located thereon.
- (6) Condemnation File No. 945. John Rast Estate, owners. The Commission authorized settlement for \$1200.
- (7) Condemnation File No. 944. John Rast Estate, Commission authorized settlement at \$750.
- (8) Condemnation File No. 943. Clara Rast Estate. Commission authorized settlement at \$850.

The Commission also authorized the Attorney to condemn the properties if settlements cannot be made on the above bases.

The Commission had under consideration a letter from the Tidewater Associated Oil Company, requesting permission to obtain about 30 cubic yards of crushed rock from the state quarry at Arlington for use in connection with some improvements that they are making to their facilities at Arlington. The Commission denied the request as a matter of policy.

A letter was presented from George K. Aiken, Ontario, requesting that the Weiser Spur Section of the Old Oregon Trail be placed on the Federal Aid System so as to enable the State of Idaho to secure federal aid in financing a bridge across the Snake River at this point. After some discussion the Secretary was instructed to inform Mr. Aiken that the Commission will look into the proposition the next time it is in that vicinity.

Letters were presented from the Affiliated Clubs of the Peninsula and Lombard Commercial Club, Portland, in which the Commission was urged to designate a state highway across the northern side of Portland. The Secretary was instructed to reply that the State Highway Commission has no funds to finance such project at the present time but will be glad to take it into consideration in the formulation of future programs.

The Commission considered and ordered filed in the department records a resolution from the Beaumont-Rosemere Home Owners' Association, opposing any street widening or arterial highways which might pass through Beaumont and Rosemere districts in Portland.

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Resolutions were presented from Harland View Grange No. 682, Moro, Oregon; Igo Grange No. 315, Mikkalo, Oregon; and Mikkalo Grange No. 704, Arlington, Oregon, in which the State Highway Commission was requested to reconstruct at the earliest possible time the secondary highway which extends from Condon to Moro, commonly known as the Cottonwood Grade. The Engineer advised that this section is 21 miles in length and lies in Sherman and Gilliam Counties, and to grade and surface it and construct a bridge over the John Day River would cost a total of about \$474,000. After discussion, the Commission instructed the Secretary to inform the several granges that the Commission has no funds at the present time with which to finance this project but will bear it in mind for future consideration.

The Secretary presented a petition signed by 83 owners or lessors of real property adjoining the Weston-Elgin Secondary Highway between Weston and Tollgate, requesting that the road from Weston to Tollgate be kept open during the winter months. The Engineer advised that this highway is maintained free of snow during ordinary winters from Weston to Mile Post No. 10.5 which is the end of the rural mail route and practically at the end of the farming district, but that it has not been kept open beyond this point. He estimated that it would cost about \$5000 to remove the snow from Mile Post No. 10.5 to the summit at Tollgate and an additional \$5000 to remove the snow from the summit to the end of the snow belt on the Elgin side. He pointed out that the elevation of the summit is 5,380 feet and that the distance traversed at an altitude in excess of 5000 feet is 10½ miles; further, that the depth of the snow on the level at Tollgate last year was 14 feet. He said that, with the exception of the McKenzie Summit, this is undoubtedly the most difficult summit in the state to keep free from snow and, in his estimation, the cost of the snow removal is not justified by the amount of traffic that would use the road. He recommended that the petition be denied, at least until the road is constructed throughout its entire length. The Commission approved the recommendation by unanimous vote.

The Secretary presented a letter from Gilbert E. Gable, Mayor, Port Orford, requesting the widening of the Oregon Coast Highway between Battle Rock Park and Ninth Street, in Port Orford. He also presented a letter from the Engineer replying to Mr. Gable's request, in which he stated that the matter would be brought to the attention of the State Highway Commission, although he did not believe that the Commission would approve it, on account of the priority of other projects. The Commission approved the Engineer's reply and instructed the Secretary to so inform Mr. Gable and to state, further, that the Commission will consider the project at such time as it undertakes the improvement of the first section of this highway south of Port Orford, which work the Commission is now considering for early construction.

A letter was presented from Mrs. Francis Yeager, Portland, in which the Commission was urged to take over and construct as a state highway route, Woodstock Boulevard easterly from Sellwood Bridge, in Portland. The Secretary was instructed to inform Mrs. Yeager that the Commission regrets that it is not in a position to do what she requests at this time.

The Secretary presented a petition signed by 40 residents of Jackson County, requesting the oiling of Little Butte Secondary Highway between Eagle

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Point and Lake Creek. The Engineer advised that this section is 10 miles long and that it would cost about \$38,000 to resurface and oil it. After discussion, the Commission instructed the Secretary to inform the petitioners that up to the present time the Commission has found it necessary to expend its funds for construction at the easterly end of this road; however, will look their project over and will consider it in future programs if there are funds available to finance it.

A letter was presented from the Cascade Locks Chamber of Commerce, in which the Commission was requested to authorize 45-degree angle parking of cars on the Columbia River Highway through their city, so as to eliminate the necessity of double parking of cars in front of business establishments, which obtains under the present system of parallel parking. The Engineer advised that parallel parking of cars was required in this town upon orders of the Commission. He recommended that the request be denied. The Commission approved the Engineer's recommendation and instructed the Traffic Engineer to formulate an appropriate reply to the Chamber of Commerce.

The Secretary presented a petition signed by 61 taxpayers residing in the vicinity of the John Day Highway, who ask the Commission to improve and oil that part of the John Day Highway which extends from Miller's Service Station near Austin, in Grant County, through Unity to a connection with the oiled surface near Ironside, in Malheur County. The Engineer advised that this section would have to be resurfaced before a satisfactory oil job could be undertaken and that the resurfacing work would cost considerably more money than the Commission can spare at this time. The Secretary was instructed to inform the petitioners to that effect.

A letter was presented from T. C. Richter, Amity, requesting the oiling of the Amity-Bellevue Secondary Highway to allay the dust nuisance which obtains during the dry season. The Engineer advised that this section is about six miles in length and to resurface and oil it on the present alignment would cost about \$37,000. He further advised that the present road is not on permanent location and the cost to reconstruct it on such location would amount to about \$86,000. The Secretary was informed to instruct Mr. Richter that the Commission does not have funds available to oil the road at the present time but will give the project consideration in arranging future oiling programs and will place it in its proper order of priority.

A letter was presented from the Josephine County Planning Board, Grants Pass, in which the Commission was urged to oil the Rogue River Loop Secondary Highway between Applegate Bridge and Robertson Bridge, which section, they stated, is now in deplorable condition and is a menace to both cars and drivers who use it. The Engineer advised that this section is 10.5 miles in length and that it would cost about \$42,000 to resurface and construct an oil mat treatment thereon. After some discussion the Commission ordered that a two- or three-mile unit of this section be oiled next season and instructed the Engineer to include such project in the 1937 oiling program.

The Commission considered and ordered filed a resolution from Yachats Grange No. 809, Lincoln County, favoring the idea that all county roads be taken over and maintained by the Oregon State Highway Commission.

A letter was presented from the Town Council of Talent, Oregon, inquiring as to the possibility of securing the oiling of shoulders adjacent to the Pacific Highway through the business section of their town. The Commission indicated that they would approve this oiling work in the 1937 program if the cost is not too great. The Engineer was instructed to investigate and submit a cost report thereon for the Commission's consideration.

A letter was presented from Alice Beeson, Talent, Oregon, inquiring as to when the Commission proposes to construct the proposed revision of the Pacific Highway at Talent, which information she needs in renewing a lease for a service station that she owns at the north end of this town. The Engineer advised that this project is on the Commission's program for construction during 1937. The Commission instructed the Secretary to so inform Miss Beeson.

The Secretary presented a petition from 212 residents of Lane County who are users of the Eugene-Swiss Home Secondary Highway, who request the oiling of this road between Elmira and the foot of Badger Mountain. The Engineer advised that this section is about 12 miles long and it would have to be resurfaced before it would be in condition for an oil treatment. Furthermore, the present road is not on the permanent secondary highway alignment. He estimated that such resurfacing and oiling would cost \$48,000. In view of the circumstances, the Commission decided that it could not spend its funds for this purpose now and instructed the Secretary to so inform the petitioners.

A letter was presented from Lewis A. McArthur, Secretary of the Oregon Geographic Board, suggesting that it would be suitable and proper to name the Pacific Highway and the West Side Pacific Highway north of Junction City "Pacific Highway East" and "Pacific Highway West", which would correspond to the numbers of these highways, "U. S. 99 East" and "U. S. 99 West" and would very likely stop a considerable amount of criticism as to the naming of these highways. The Engineer recommended the adoption of the suggestion. The Commission approved the recommendation by unanimous vote.

The Secretary presented two resolutions from the Clackamas Community Club, Clackamas, Oregon, signed by 31 and 259 residents, taxpayers and citizens, respectively, wherein the Commission was urged to widen, straighten and improve the 82nd Street road (Cascade Secondary State Highway No. 160) along its present route, from the Multnomah County line to a point south of the town of Clackamas and then connecting with the Super-Highway (East Portland-Oregon City Highway) at some feasible point rather than to reconstruct this road on new alignment; also, to refrain from the expense of further surveys for a new road from a point known as Pope Hill, on the north, to the Clackamas River, on the south, which surveys, they allege, are now being conducted. The Secretary was instructed to inform the petitioners that the purpose of the present survey is to determine whether or not it would be advisable to change the present alignment so that such information will be available when the matter comes up for discussion, and that the Commission has no plans for the immediate reconstruction of this section.

A letter was presented from Helen R. Thompson, Acting Chairman History Committee, Willamette Chapter D. A. R., Milwaukie, Oregon, requesting permission to relocate, on the East Portland-Oregon City Highway right of way, a certain monument marking the Old Oregon Trail which is now located on the old highway at the Abernethy Bridge crossing, near Oregon City. The Commission indicated that it would approve such request but deemed it advisable to defer definite action until the highway has been constructed through Oregon City. The Secretary was instructed to transmit such information to Mrs. Thompson.

The Commission considered and ordered filed in the department's records, propaganda from the office of the road committee of the Wasco County Granges pertaining to the allocation of funds for the improvement of county roads which are United States Government mail routes.

The Commission also considered and ordered filed a copy of the minutes of the 31st Annual Convention of County Judges and Commissioners of the State of Oregon, which was held on December 23 and 24, 1936, relative to the distribution to the several counties of an additional amount of state highway department revenues.

The Commission considered and ordered filed a letter from A. W. Orton, Deputy State Treasurer in charge of collection of delinquent traffic fines, reporting the results of his activities during the month of December 1936 and advising that he will no longer be able to do this collection work for the Commission because his services from now on will all be required by the State Treasurer for other purposes.

A communication was presented from Eden Grange No. 832, Wallowa County, in which the Commission was urged to secure the enactment of a law through the state legislature whereby the State Highway Commission will have authority to expend a certain percentage of state highway funds for the improvement and maintenance of county roads throughout the state. The Commission ordered the communication acknowledged and filed.

The Engineer brought up for discussion the proposed W.P.A. project for constructing guard fence and walls along the Columbia River Highway near the Sandy River Bridge east of Troutdale, to prevent small rocks and boulders from falling on the highway and endangering highway traffic. He said that according to the latest estimates the work proposed to be done will cost approximately \$44,821 of which \$38,023 represents federal funds and \$6,798 represents the sponsor's contribution, or the amount that will have to be paid by the state. He gave as his thought that the work is not of sufficient value to justify the expenditure of state funds in such amount and accordingly recommended that the project be rejected. After some discussion the Commission approved the Engineer's recommendation and so ordered.

The Engineer reported that the Portland Traction Company desires to have traffic stripes painted on certain streets in the Eastmoreland District to facilitate the movement of their busses and have requested the approval of the Commission for such painting, which they would like to have done by state

department forces although they will reimburse the state for the expense thereof. He said that he could not conscientiously approve the painting of traffic stripes on these streets because it would deviate from the original intent and purpose of the traffic stripes, which was to mark the center line of state highways and those city streets which have been designated as state highway routes. He pointed out that none of the streets in the Eastmoreland district are state highway routes and accordingly are without the jurisdiction of the State Highway Commission; so, if the company is determined to paint the stripes irrespective of the recommendation of the Commission, it might be satisfactory for the Highway Department forces to do the work, provided the company will reimburse the state for the full cost and expense thereof. After considerable discussion, the Commission ordered that the company be informed that the Commission feels that the practice of painting center stripes on city streets that are not highway routes is ill-advised and is recommended against by the Traffic Engineer of the State Highway Department because of the confusion that will develop therefrom; but, if they insist on painting the stripes regardless of the recommendation, highway department forces will do the work if they will pay the cost thereof in advance.

The Commission had under consideration the approval of an additional W.P.A. project on the Wolf Creek Highway, costing about \$235,000, involving the grading of a 4-mile section of this road from the Barnes Road junction easterly to a connection with the present project near the Portland city limits. The Commission deferred action on this matter until its meeting on January 19, in Marshfield.

The Commission considered and approved a W.P.A project on the Elsie-Necanicum Section of the Wolf Creek Highway, in Clatsop County, involving slope protection and drainage. The estimated total cost of the project is \$113,659.00, of which \$99,040.00 is to be paid with W.P.A. funds, and the balance, \$14,619.00, representing the sponsor's contribution, is to be paid with state highway funds.

The Commission considered and signed agreements, et cetera, as follows:

1. Agreement granting an easement for drainage tunnel, etc., on property owned by the Coast Counties Land Company, in Curry County.
2. Agreement with the United States of America, providing for the relocation of the Baker-Unity Highway and the building of a new bridge over Burnt River, near Unity, necessitated by the construction of a dam across the river at this point.
3. Joint deed with Tillamook County, quitclaiming to one William Ryan certain right of way on the Wilson River Highway, in Tillamook County, that is not needed for state highway purposes.
4. Bargain and sale deed conveying unto Klamath County title to a certain street in Altamont Acres, which is being dedicated for

public use in lieu of First Avenue in said Altamont Acres, which has been vacated in connection with the enlargement of the State Highway Department shop premises at this location.

5. Bargain and sale deed conveying unto Ralph J. Tucker 0.44 acre of land in the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 11, T. 4 S., R. 1 W., W. M., Marion County, lying outside of the state highway right of way.
6. Bargain and sale deed conveying unto Frank J. Bailey and Laura M. Bailey, his wife, 667 square feet lying in Lots 36 and 37 of Estacada Lake Addition to Estacada, and being outside of the highway right of way.
7. Quitclaim deed conveying unto Seufert Bros. Company 4 parcels of land situate in Lots 1, 2, 3 and 4 of Section 31, and in Lots 2 and 3, Section 30, T. 2 N., R. 14 E., W. M., Wasco County, Oregon, and being portions of the old Columbia River Highway right of way at such locations, said properties being given to the company in exchange for other property which is needed for the revised highway right of way.

The Commission had under consideration the following requests for extensions of time in which to complete highway construction projects:

Dunn & Baker, contract No. 1652, for grading the Gold Lake Trail-Odell Lake Section of the Willamette Highway, in Lane and Klamath Counties, requested an extension of time from October 31, 1935, to August 24, 1936, in which to complete this project. They stated that the delay in completing this project within the specified time limit was occasioned by bad weather conditions and the encountering of materials in excavation which were much harder to handle than they had anticipated. The Engineer advised that the reasons given by the contractor for the delay are substantially correct. He further stated that the delay has not inconvenienced the traveling public; neither has the state incurred any additional engineering expense as the engineering crew was engaged on other work at the same time. In view of the circumstances, he requested that the extension be granted without penalty and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Edwin C. Gerber, contract No. 1791, for oil mat surface treatment on the Byerley Corner-Bethel Section of the Lincoln-Ballston County Road, and the Corvallis Junction-Peoria Section of the Corvallis-Harrisburg County Road, in Linn and Polk Counties, requested an additional extension of time of two days, from August 25 to August 27, 1936, in which to complete this project. The Engineer advised that all of the work in connection with this contract was completed prior to the expiration of the specified time limit,

except the application of the second oil seal. He further stated that Mr. Gerber had another oil contract with the Commission in Clackamas County and it was considered more important that he should complete the Clackamas County work before applying the final seal in connection with the Linn and Polk County work. He further advised that there was no inconvenience to traffic because of the delay and the state has incurred no extra expense for engineering supervision, in view of which he recommended that the extension requested be granted without penalty. In support thereof he submitted a letter from the Bureau of Public Works concurring therein. The Commission approved the recommendation by unanimous vote.

Saxton & Looney and J. S. Risley, contract No. 1808, for grading the Polk County Line-Soap Creek Section of the Tampico County Road, in Benton County, requested an extension of time of 30 days, from August 31 to September 30, 1936, in which to complete this project. They attribute their delay to bad weather conditions during the months of April, May and June. The Engineer advised that there is no apparent reason why the contractors should not have completed this work within the specified time limit, had they placed sufficient force and equipment on the job during the last two months, and that he so advised them. He further stated that the state has incurred no extra expense for engineering supervision, nor has the traveling public been inconvenienced by the delay, for which reasons he recommended that the extension requested be granted without penalty. He submitted, in support of his recommendation, a letter from the Bureau of Public Roads concurring therein. The Commission approved the Engineer's recommendation by unanimous vote.

(NOTE: Additional extension of time approved by the Commission on November 18, 1936.)

McGeorge Gravel Company, contract No. 1861, for furnishing crushed materials in stock pile for the Bandon-Myrtle Point Section of the Oregon Coast and Coos Bay-Roseburg Highways, in Coos County, requested an extension of time, from September 30 to November 3, 1936, in which to complete this project. The Engineer advised that the contractor made every effort to complete this job within the specified time limit but was unable to do so because of difficulties experienced with equipment. He further advised that the state has not incurred any additional expense for engineering, as the engineer in charge was working on several other jobs at the same time; furthermore, the traveling public has not been inconvenienced by the delay. He recommended that the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

Saxton & Looney and J. S. Risley and J. C. Compton, contract No. 1863, for grading, surfacing and oiling the Balm Grove-Forest Grove Section of the Gales Creek County Road, in Washington County, requested an extension of time of 18 days, from September 15 to October 3, 1936, in which to complete this job. They attribute their failure to complete the job within the specified time limit to the fact that the

contract was not awarded to them for eighteen days after bids were taken for the same. The Engineer advised that the contractors' statement as to the delay in the award of the contract is correct. He further stated that all construction of oil mat surface was completed on September 26 and that the balance of the time between September 26 and October 3 was required to clean up the premises. He added that the state has not incurred any additional expense for engineering because the engineering crew was engaged on other work at the same time, and that traffic has not been materially inconvenienced by reason of the delay. He recommended that the extension requested be granted without penalty, and in support thereof submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

The Engineer reported that the following contracts for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance:

Contract No. 1791, with Edwin C. Gerber, for oiling the Byerley Corner-Bethel and the Corvallis Junction-Peoria Sections of the Lincoln-Ballston and Corvallis-Harrisburg County Roads, in Linn and Polk Counties. Completed August 27, 1936.

Contract No. 1797, with Homer G. Johnson, for regrading, surfacing and oiling the Enterprise-Joseph Section of the Wallowa Lake Highway, in Wallowa County. Completed September 22, 1936.

Contract No. 1838, with J. C. Compton, for surfacing and oiling sections of four county roads in Yamhill County. Completed October 12, 1936.

Contract No. 1841, with O. N. Pierce and Frank Connor, for the creation of two artificial oases on the Columbia River Highway in Morrow County. Completed June 30, 1936.

Contract No. 1861, with McGeorge Gravel Company, for furnishing crushed rock for the Bandon-Myrtle Point Section of the Oregon Coast and Coos Bay-Roseburg Highways, in Coos County. Completed November 3, 1936.

Contract No. 1863, with Saxton & Looney and J. S. Risley and J. C. Compton, for grading, surfacing and oiling the Balm Grove-Forest Grove Section of the Gales Creek County Road, in Washington County. Completed October 3, 1936.

Contract No. 1864, with Harold Blake, for regrading and paving the Vancouver Avenue Extension of Vancouver Avenue, in Multnomah County. Completed November 10, 1936.

Contract No. 1869, with Warren Northwest, Inc., for pavement planing and resurfacing on the Pacific, Columbia River and Mt. Hood Highways, in Multnomah County. Completed October 10, 1936.

Contract No. 1879, with McNutt Bros., for grading and surfacing the Tygh Valley Section of the Sherars Bridge Secondary Highway, in Wasco County. Completed October 7, 1936.

Contract No. 1883, with Harold Blake, for grading and surfacing the Butte Creek-Rock Creek Section of the Woodburn-Mt. Hood Secondary Highway, in Clackamas County. Completed November 14, 1936.

Contract No. 1895, with Chas. H. Leonard, for grading, surfacing and furnishing crushed rock on the Grub College-Amity Section of the Amity-Dayton Secondary Highway, in Yamhill County. Completed December 10, 1936.

The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1791, with Edwin C. Gerber, for oiling the Byerley Corner-Bethel and the Corvallis Junction-Peoria Sections of the Lincoln-Ballston and Corvallis-Harrisburg County Roads, in Linn and Polk Counties. Completed August 27, 1936.

Contract No. 1797, with Homer G. Johnson, for regrading, surfacing and oiling the Enterprise-Joseph Section of the Wallowa Lake Highway, in Wallowa County. Completed September 22, 1936.

Contract No. 1838, with J. C. Compton, for surfacing and oiling sections of four county roads, in Yamhill County. Completed October 12, 1936.

Contract No. 1841, with O. N. Pierce and Frank Connor, for the creation of two artificial oases on the Columbia River Highway, in Morrow County. Completed June 30, 1936.

Contract No. 1861, with McGeorge Gravel Company, for furnishing crushed rock for the Bandon-Myrtle Point Section of the Oregon Coast and Coos Bay-Roseburg Highways, in Coos County. Completed November 3, 1936.

Contract No. 1863, with Saxton & Looney and J. S. Risley and J. C. Compton, for grading, surfacing and oiling the Balm Grove-Forest Grove Section of the Gales Creek County Road, in Washington County. Completed October 3, 1936.

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Contract No. 1864, with Harold Blake, for regrading and paving the Vancouver Avenue Extension of Vancouver Avenue, in Multnomah County. Completed November 10, 1936.

Contract No. 1869, with Warren Northwest, Inc., for pavement planing and resurfacing on the Pacific, Columbia River and Mt. Hood Highways, in Multnomah County. Completed October 10, 1936.

Contract No. 1879, with McNutt Bros., for grading and surfacing the Tygh Valley Section of the Sherars Bridge Secondary Highway, in Wasco County. Completed October 7, 1936.

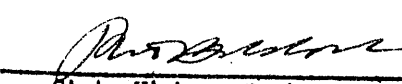

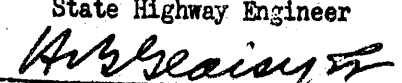

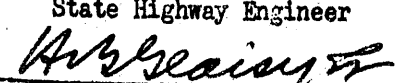
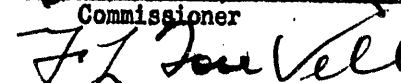
Contract No. 1883, with Harold Blake, for grading and surfacing the Butte Creek-Rock Creek Section of the Woodburn-Mt. Hood Loop Secondary Highway, in Clackamas County. Completed November 14, 1936.

Contract No. 1895, with Chas. H. Leonard, for grading, surfacing and furnishing crushed rock on the Grub College-Amity Section of the Amity-Dayton Secondary Highway, in Yamhill County. Completed December 10, 1936.

THEREFORE, BE IT RESOLVED, that the work covered by said State Highway Commission contracts for the construction of said state highway projects be declared completed according to the terms and provisions of the respective contracts and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission by unanimous vote approved February 4, 1937, as the date for its next regular meeting for receiving of bids, this being a postponement of the meeting heretofore scheduled for January 21, 1937.

There being no further business to come before the Commission at this time, the meeting was adjourned at 6:00 o'clock p. m.

 State Highway Engineer	 Chairman
 Secretary	 Commissioner
 Secretary	 Commissioner

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Portland, Oregon, February 17, 1937.

The State Highway Commission met in special session at 8:00 o'clock p. m. in Room 204, Benson Hotel. Present were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
H. B. Glaisyer, Secretary

Mr. James Donegan, Burns, Oregon, appeared before the Commission in behalf of the Edward Hines Lumber Co. and requested permission to drag logs across the John Day-Burns Highway at four different places in Sections 20 and 29, T.15 S., R.31 E., W.M. He said that the company has about one million feet of timber already felled and that it is necessary to drag the logs across the highway to a loading point on the railroad nearby, which would take only about four days' time to complete; and that unless they are granted this privilege the logs would be an entire loss because they would have to lie where they are until next summer, and deterioration in the meantime would be so great that they would be practically unusable. He further stated that, in his estimation, the dragging of logs across the road would not injure the road in any way because the ground is now covered by snow and is frozen solid.

Chairman Cabell explained the law and the policy of the Highway Commission, which prohibits the granting of permits for the dragging of anything on or across state highway rights of way. He also said that the Commission appreciates the necessity for moving the logs but is reluctant to allow them to be dragged across the highway because of the precedent that would be established thereby.

Mr. Donegan urged the granting of the privilege in this particular instance in order to save the logs that are now on the ground. He guaranteed that, if the Commission would authorize the movement in this instance, the company would agree not to carry on any activity hereafter in connection with its logging operations that would necessitate a permit for any purpose from the State Highway Commission until the matter has been presented to the Commission and has received the Commission's approval. He also said that the company will assume full responsibility and liability for accidents that might occur by reason of its operations on the highway and the company will carry on its operations so that there will be no interference with traffic along the highway, and will maintain flagmen for the protection of the traveling public as may be required by the Commission.

After further discussion the Commission by unanimous vote agreed to Mr. Donegan's proposal and authorized the granting of a permit to the Edward Hines Lumber Company upon receipt from the company of a statement in writing to the effect that the company will assume full and complete responsibility for the maintaining of signs, watchmen, flagmen or other appropriate methods or means of warning to and protection of traffic on the highway and that in the future, where contemplated activities of the company will involve the use of any state highway so as to require a permit or authorization from the State Highway Commission, approval of the Commission will be secured for such anticipated use of the highway right of way before the company's activities

are commenced. The Commission referred the matter to the Assistant Attorney to prepare a satisfactory form of statement covering the matter.

The Commission by unanimous vote approved the minutes of the meetings held on July 30, August 4 and 5, August 26 and 27, September 15, September 30 and October 1, October 4 and 5, and October 16 and 17, 1936.

The Commission discussed Senate Bill No. 130 relating to size and weights of motor vehicles, et cetera, which is now before the State Senate in the Thirty-ninth Legislative Assembly of the State of Oregon.

In this connection Chairman Cabell explained that he appeared before the Roads and Highways Committee of the Senate at a meeting during the previous week and voiced objections to the bill because it had for its purpose increasing the overall length from 50 feet to 60 feet and the combined weight of load and vehicle from 54,000 pounds to 68,000 pounds, it being his thought and that of the Engineer that such increases could not be put into effect without increasing the hazards to the general traveling public and damage to the roads and bridges on the state highway system. He said that this is a very important bill from the State Highway Department's standpoint and in his estimation the Roads and Highways Committee should have a written statement from the Commission setting forth its objections thereto in detail. He presented a letter dated February 17, 1937, to Senator Douglas McKay, Chairman of this committee, outlining the Commission's attitude, which letter was read aloud. After discussion the Commission approved the contents of the letter by unanimous vote and authorized Chairman Cabell to sign the same in behalf of the Commission.

The Commission discussed, but deferred action thereon until later in the session, the matter of purchasing 25 trucks for use in connection with the Wilson River and Wolf Creek W.P.A. projects in lieu of renting power shovels for such projects. The Engineer was instructed to obtain some additional information regarding big trucks for consideration at that time.

Harold B. Say, Director of the Travel and Information Department, was present and reported that he has a request from Mr. Alfred Powers that the State Highway Commission, in connection with its publicity matters, assume the responsibility for the publication and distribution of a book on Oregon resources, data for which Mr. Powers has accumulated during the past year as a W.P.A. project at a cost of approximately \$60,000. He estimated that the printing of the book would cost between \$4,000 and \$5,000, and recommended that the request be denied because it does not fit in with the Highway Commission's ideas in regard to the dissemination of information for tourists. The Commission approved the recommendation by unanimous vote.

Mr. Say also reported receipt of a suggestion from the Greeters Committee of the Portland Chamber of Commerce that the State Highway Commission maintain greeters at the main highway entrances into the state to give information to incoming tourists concerning the attractions of the State of Oregon; also, that the Highway Commission construct a small building on the state line at each entrance, to house the greeters. Mr. Say advised that he conferred with Mr. Pray, Superintendent of the Department of State Police, in regard to the utilization of his officers this year to direct tourists and distribute literature on Oregon, similar to the arrangement that was made last year, and Mr. Pray signified his willingness to do this, which will probably take care

of the matter for the time being. He therefore recommended the continuance of last year's policy rather than the approval of the committee's suggestion.

Chairman Cabell's thought was that the Highway Commission should not obligate any additional funds for publicity purposes this year unless the Publicity Committee recommends the same. After discussion the Commission re-referred the suggestion of the Portland Chamber of Commerce Greeters Committee to Mr. Say, with instructions to secure the ideas of the individual members of the Publicity Committee in regard thereto.

Mr. Say also reported briefly the action taken by the Publicity Advisory Committee in the matter of breaking down the publicity budget to provide for national magazine and radio advertising. He recalled that the budget previously submitted contained a "break-down" for all items except for national magazine and radio advertising, which was shown as a joint item, with the understanding that a distribution between the two would be recommended at a later date by a subgroup of the Advisory Committee. This committee, he said, consisting of Messrs. John Laing, Merle Chessman and Dr. E. B. McDaniel, now recommends that, of the total sum of \$51,084 set up for this class of advertising, approximately \$7,462 be obligated for radio advertising and the balance for advertising in national magazines. He concurred in the recommendation and asked the Highway Commission to approve the same. The Commission approved the recommendation by unanimous vote.

The Assistant Attorney was present and brought up for discussion the matter of acquisition of the site for the proposed Lewis and Clerk Monument at the west entrance of the Columbia River Highway into The Dalles. He advised that according to the original arrangement the city of The Dalles was to deliver to the state a deed to approximately five acres of land and that in accordance therewith he prepared a form of deed for such conveyance and delivered the same to the City Council. However, it appears that this form of deed is not acceptable to the Council, which has returned it with a request for certain reservations, which, if approved by the Commission, would cut down the size of the tract about fifty per cent. It also appears that the city has plans in mind for the extension of Third Street and Fourth Street westerly to a connection with the Columbia River Highway, and, if this plan materializes, it will mean the extending of these streets across the tract proposed for the monument site; furthermore, the city has in mind to construct an armory in the vicinity of the tract, which will require about one acre of land that is included in the monument site, and it is reservations covering these matters that the city wishes included in the deed.

The Landscape Engineer, George Otten, exhibited a map showing the proposed layout for the landscaping of the monument site. He said that it is not absolutely necessary that the state have all of the land that the city originally intended to furnish for the monument site; so, if the city wants part of it for other purposes, that would be satisfactory from his standpoint and he would adjust his designs to fit the reduced area. After a discussion of this matter the Commission indicated that it would accept a deed from the city for a lesser acreage than was originally planned if the city needed the land for some other purpose. The Landscape Engineer was instructed to take the matter up with the city and ascertain exactly how much land the city requires and request the city to deed the balance to the state without cost. He was also instructed to inform the city officials that the Highway Commission

will not proceed with the improvement of this site unless and until the city furnishes a suitable tract for landscaping purposes. He was also instructed to revise the landscaping plans to fit the reduced area when the boundaries have been ascertained definitely.

The Engineer exhibited plans for a maintenance headquarters building at the Alkali Lake Maintenance Station which has been selected as the site for the proposed William Hanley Memorial Oasis. The plan is for a duplex style of building to house the families of both the patrolman and his helper, and is of field stone construction with pole roof and clapboard gables, which would fit in with the topography in this vicinity and be reminiscent of the stone houses of the pioneers. He estimated the cost of such building to be about \$9,000. After a discussion, the Commission re-referred the matter to the Engineer for further study and to prepare new designs limiting the cost of construction to not more than \$5,000.

The Engineer reported the need to place a reduced load limit on the Pendleton-Cold Springs Highway in order to preserve this road during the thawing-out period. He recommended a reduction of 50 per cent of the weight limits prescribed by statute. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the following road or highway has been duly designated and declared to be and is a state highway, and has been improved and is being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as a state highway, to wit:

PENDLETON-COLD SPRINGS HIGHWAY

AND WHEREAS, the said above-named state highway is in the judgment of the State Highway Commission being subjected to a kind and character of traffic which is damaging and injuring the said highway, and in order to protect said highway against such damage and injury it is deemed and is the judgment of the Highway Commission, and said Commission finds that it will be for the best interests of the said highway that the maximum weights permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has after due investigation determined and found, and it is the judgment of the Commission, that the maximum weights which shall be permitted upon the said road shall be reduced and fixed as in this order provided;

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having as a result of due investigation found that the road above mentioned and hereinafter designated is being damaged and injured on account of the kind and character of traffic now being hauled over and upon said road, and by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said road, and the Commission having found upon due investigation that it will be for the best interest of the said state highway that the maximum total weight of load and vehicle which shall be permitted upon said road shall be reduced so as to conform to the requirements fixed in this order;

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named road shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highway, to wit:

PENDLETON-COLD SPRINGS HIGHWAY between its junction with the Columbia River Highway near Cold Springs and its junction with the Old Oregon Trail near Pendleton, in Umatilla County

shall be as follows: The combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of the front axle of a truck or truck-tractor shall not exceed the product of four hundred (400) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of any one axle of a vehicle or combination of vehicles, other than the front axle of a truck or truck-tractor, shall not exceed the product of three hundred (300) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Chapter 360 of the laws of Oregon for 1931, shall be in full force and effect from this date until modified, annulled or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named highway and at important crossroads on said highway, so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the county clerk of Umatilla County, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties and prices that he recommended be paid for each. After careful study the Commission approved the Engineer's request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Sandy Creek Section - Columbia River Highway</u>				
4141-Freeman, Edna M.	R/W	368 sq.ft.	\$25 Lump Sum	Gardiner
<u>Halsey-Shedd Section - Pacific Highway</u>				
4219-Robson, K.	R/W	630 " "	3¢ per sq.ft. plus \$50	Benson
4233-Gregory, Emma M.	"	1500 " "	3¢ " " " "	"
4220-Robson, K.	"	1930 " "	3¢ " " " "	"
3718-McWilliams, D. S.	"	1.82	\$100 per a. " "	"
4221-St. Johns, L.	"	855 sq.ft.	3¢ per sq.ft. " "	"
			plus moving building	"
4217-Blankenship, John A.	"	2000 " "	3¢ per sq.ft. plus \$90	"
			plus moving buildings	"
4284-Forster, Philip J.	"	2000 " "	3¢ per sq.ft. plus \$50	"
4234-Shedd Lodge, A.F. & A.M.	"	1000 " "	3¢ per sq.ft. " replacement of sidewalk	"
4223-Townsend, Ronald	"	0.21	\$200 per a. plus \$13.50	"
4273-Kirk, Frank	"	1000 sq.ft.	5¢ per sq.ft. plus moving buildings	"
4279-Koontz, Mary E.	"	2000 " "	6¢ per sq.ft. plus remodeling building	"
4285-Waggener, A. G.	"	3000 " "	3¢ per sq.ft. plus \$10	"
4238-Gardner, Geo. W.	"	1550 " "	3¢ " " " " \$143.50	"
			plus moving buildings	"
4258-Smith, Sidney J.	"	0.59	\$100 per a. plus \$35	McCallister
4260-Davis, H. C.	"	0.61	\$100 per a. plus \$40	"
4261-Northrup, J. S.	"	4.31	\$100 per a. " "	"
4262-Robins, Mabel P.	"	1.47	\$100 per a. " "	"
4263-Bullis, D. L.	"	4000 sq.ft.	3¢ per sq.ft. plus \$75	"
4264-Davis, Rosa	"	2000 " "	3¢ " " " " \$75	"
4265-Miller, E. C.	"	2000 " "	3¢ " " " " \$5	"
4281-I.O.O.F. Lodge #65	"	4000 " "	6¢ " " " "	Benson
4286-Ackley, Maud	"	1000 " "	3¢ " " " "	"
4270-Bramwell, Karl A.	"	1000 " "	3¢ " " " "	McCallister
4281-I.O.O.F. Lodge #65	"	2100 " "	6¢ " " " "	"
4271-Chance, W. H.	"	2000 " "	3¢ " " " " \$10	"
			plus moving building	"

(Continued on next page)

Section, Hwy., and Owner Purpose Acres Approximate Amounts Agent

Halsey-Shedd Section - Pacific Highway (continued)

4266- Held, David	R/W	3000 sq.ft.	3¢ per sq.ft. plus \$43 plus moving buildings	McCallister
4267-Davis, H. C.	"	6800 " "	3¢ per sq.ft. plus \$10 plus moving buildings	"
4268-Standish, Ruby H.	"	2000 " "	3¢ per sq.ft. plus \$20 plus moving buildings	"
4274-Gansle, Chas. H.	"	1000 sq.ft.	6¢ per sq.ft. plus moving buildings	"
4278-Miller, E. C.	"	1000 " "	6¢ per sq.ft.	"
4269-Gansle, Chas. H.	"	1000 " "	3¢ " " "	"
4272-Holloway, W. E.	"	2000 " "	3¢ " " " plus \$40	"
4276-First Mtg. Security Co.	"	960 " "	\$3000 Lump Sum	"
4282-Hill, A. J.	"	900 " "	\$2000 for land plus remodeling building	Benson
4213-Shedd, H. L. et al	"	1.337	\$100 per a. plus \$111.15	"
4275-Nichols, C. W.	"	1040 sq.ft.	6¢ per sq.ft. plus \$137.50 and moving bldgs.	"
4277-Gray, Frances E.	"	1000 " "	6¢ per sq.ft. plus moving building	"
4259-Bond, Elsie et al	"	1.22	\$100 per a. plus \$80	McCallister
4283-Hill, A. J.	"	2000 sq.ft.	6¢ per sq.ft. plus \$55 plus moving bldgs. and replacing well	"
4222-St. John, Julia E.	"	3,360 sq.ft.	1¢ per sq.ft. plus \$13.20	Benson
4218-Coats, Lyman O.	"	370 " "	3¢ " " " " \$5.50	"
4228-School Dist. #37, Linn Co., Ore.	Slope Easement	158 " "	\$25 Lump Sum	"

Shady Point-Kelly's Corner Section - Pacific Highway

3096-Ward, Etta A.	R/W	2.59	\$500 Lump Sum	DeSouza
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Hillsboro-Forest Grove Section - Tualatin Valley Highway

4255-Beers, C. C.	R/W	126 sq.ft.	\$5.00 Lump Sum	Parker
4257-Riche, A. J.	"	1872 " "	2¢ per sq.ft. plus \$62.56	"

City of Bend - The Dalles-California Highway

4292-Deschutes County Div. Hdqtrs.	20439 sq.ft.	\$60 Lump Sum	DeSouza
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Weston-Elgin Section - Weston-Elgin Highway

3942-Gilmore, Marie	R/W	0.74	\$135 per a.	Wells
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Barbur Boulevard Section - West Side Pacific Highway

4289-Johnson, Geo. H.	R/W	1350 sq.ft.	\$350 Lump Sum plus moving buildings	McChesney
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Medford-Crater Lake Highway

4143-Parker, Juanita V.	Pipe Easement	0.33	\$75 Lump Sum	Gardiner
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Section, Hwy., and Owner Purpose Acres Approximate Amounts Agent

Vernonia Section - Nehalem Highway

4002-Parker, N. J.	R/W	5000 sq.ft.	\$100 Lump Sum	McChesney
3999-Parker, Geo. W.	"	29000 " "	\$350 " "	"
4004-Columbia County	"	695 " "	\$10 " "	"
4007-Buchanan, Oza	"	2830 " "	5¢ per sq.ft. plus \$358.50	"
-Willard, Michael B.	"	8 " "	5¢ per sq.ft. plus \$19.60	"
4000-Person, J. M.	"	1410 " "	2¢ per sq.ft. plus \$21.80	"
4001-Malsten, F. E.	"	22195 " "	\$525 Lump Sum	"
4006-Hawkins, Glen F.	"	2505 " "	Land \$150, plus \$250	"
4003-Batchelor, Earl E.	"	893 " "	Land \$100, plus \$400	"
4005-Columbia County	"	1105 " "	\$40 Lump Sum	"

Rocky Point Section - Lower Columbia River Highway

3180-Biddle, Spencer	R/W	0.12	\$25 Lump Sum	Gardiner
612-Knight, F. L.	"	(0.746)	\$500 per a.	"
		(1.925)	\$100 " "	
		2.671		

Rainier Section - Columbia River Highway

4022-Oliva, Amolia	R/W	1373 sq.ft.	\$50 Lump Sum	Gardiner
			for drain. tunnel	
2881-Lindeman, Minnie (correction)	R/W	1086 sq.ft.	Exchange for other lands donated, plus \$336.52	Parker

Spaulding Ranch - Unionvale, Dayton-Salem Highway

3978-Marley, L. C.	R/W	0.19	\$20 for land, plus \$105.50	Collins
3979-Alderman, Ennis M.	"	0.88	Gratis	"
3973-Bruhn, Carl	"	0.25	\$100 per a.	"
3977-Dixon, Mary E. Estate	"	0.19	\$100 per a.	"
3976-Appleman, M. V.	"	0.34	\$100 per a. plus \$31	"
3972-Bruhn, John	"	0.12	\$100 per a.	"
3971-McFarlane, J. A.	"	0.40	\$100 per a. plus \$50	"
3975-Gubser, D.L.	"	1.82	\$100 per a. plus \$548	"

Bend-Crescent Section - Dalles-California Highway

3970-Stevens, Byron G.	S/P	0.46	\$50 Lump Sum	Gardiner
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Jefferson Section - Pacific Highway

4048-Thiessen, Claus	Road Easement	1.09	Gratis	Benson
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Gap Ranch-Silver Creek Section - Central Oregon Highway

3869-Oregon & Western Colonization	Gravel Pit	16.91	5-yr. lease at \$3.55 per a. per yr.	DeSouza
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East Pendleton Section - Old Oregon Trail

3866-Jenkins, Evelyn (Corr.)	R/W	3 lots	\$175 Lump Sum	Parker
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Newberg-Rex Hill Section - West Side Pacific Highway

1852-McGarry, Ada C.	R/W	0.147	\$1000 per a. plus moving buildings	Parker
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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Sect. Seaside-Hamlet Junction - Oregon Coast Highway</u>				
3870-Clatsop County	R/W	2.250	Gratis	Eason
Stock Pile				
<u>Berger Ranch-Barnes Road Section - Wolf Creek Highway</u>				
4142-Townsend, A. B.	R/W	3.16	1.16 a. at \$500 per a. 2.00 " " 300 " "	
			plus \$1428	McChesney
<u>Sand Hollow-Butter Creek Section - Lexington-Echo Highway</u>				
4184-Barrett, Eliza	Stock Pile	1.65	\$75 per a.	Wells
<u>Lakeview Section - Klamath Falls-Lakeview Highway</u>				
4008-Lake County	Stock Pile	16 lots	\$100 Lump Sum	McCallister
<u>Valley Falls-Whiterock Section - Fremont Highway</u>				
3377-Lake County	Stock Pile	0.16	Gratis	Gardiner
<u>Malin Section - Klamath Falls-Lakeview Highway</u>				
3690-Bord, Rex E.	Stock Pile	1.00	\$100 per a.	Kelley
<u>Rufus Section - Columbia River Highway</u>				
1933-McDonald, Mattie J.	Stock Pile	1.18	\$35 Lump Sum 1-yr. Lease (Renewal)	Chandler
<u>Union Section - Old Oregon Trail Highway</u>				
505-Union County	Maint. Hdqtrs.	0.10	\$10 per month, 2-yr. Lease	Williams
<u>Walluski River Section - Nehalem Highway</u>				
3764-Nurnburg, J. G.	R/W	1.811	Land \$15 plus \$85	Parker
3765-Cornelius, T. S. Est.	"	2.93	2.00 a. at \$200 per a. 0.93 a. at \$50 per a.	"
3766-Clatsop County	"	1.758	Land gratis plus \$102	"
<u>Nehalem River-Necanicum Junction Section - Wolf Creek Highway</u>				
2065-Gollersrud, Leslie	R/W	10.8	\$100 per a. plus \$420	Gardiner
<u>Hemlock Section - Oregon Coast Highway</u>				
709-Blanchard, Roy	Stock Pile	0.52	\$75 Lump Sum	Benson
<u>Crawfordsville-Holley Section - Halsey-Sweet Home Highway</u>				
3567-Union Central Life Insurance Co.	R/W	0.004	\$7.50 Lump Sum	McCallister
<u>Washington State Line-Shelton Ranch Section - Lewiston-Enterprise Highway</u>				
4204-Frazier, W. R.	R/W	5.73	\$10 per a. plus \$98	Wells
<u>Alsea Bridge Section - Oregon Coast Highway</u>				
1271-Hilton, F.H. & Combs, A.B. R/W		0.015	\$60 Lump Sum	DeSouza
<u>Oregon City Section-East Portland-Oregon City Highway</u>				
3044-Wieland, Chas.	R/W	4500 sq.ft.	Land \$1800 plus \$3732	Parker

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Fort Klamath-Crater Lake Section - Crater Lake Highway</u>				
4352-Zumbrum, Amy L.	Stock Pile	1.34	\$75 Lump Sum plus fencing	McCallister
<u>Klamath Falls Section - Klamath Falls-Lakeview Highway</u>				
4354-Hauger, H. E.	Stock Pile	0.76	\$175 Lump Sum plus fencing	McCallister
<u>Whiterock Section - Fremont Highway</u>				
3461-Chandler, S. B.	Gravel Pit & Hauling Road	8.23	\$750 Lump Sum	DeSouza
<u>Butter Creek Section - Lexington-Echo Highway</u>				
4016-Pacific Coast Joint	Stock Land Bank	Quarry Site 3.00	\$50 per a. plus \$100	DeSouza
<u>Klamath Section - Klamath Lake Secondary Highway #421</u>				
4355-City of Klamath Falls	Quarry & Stock Pile	1.02	Gratis	McCallister
<u>Mussel Creek-Euchre Creek Section - Oregon Coast Highway</u>				
4393-Caughell, Fred	R/W	17.1	\$350 Lump Sum	Parker
4359-Caughell, Fred, & Henry Husted	Stock Pile	0.71	\$100 Lump Sum	"
4349-Coast Counties Land.Co.	"	0.45	\$25 Lump Sum	"
4348-Fromm, John Est.	"	1.00	Land \$125 plus \$35	"
<u>Waldport Section - Oregon Coast Highway</u>				
4210-Keady, Wm. F.	Park Site	10.2	Gratis	McCallister
<u>Pistol River-California State Line Section - Oregon Coast Highway</u>				
4350-Delcur Corporation	Stock Pile	1.00	\$100 Lump Sum	Parker
4358-Walker, W. J.	Quarry Site	12.91	3¢ per cu.yd. 20-yr. lease	"
<u>Shaniko Section - Sherman Highway</u>				
4337-Hinton, James E.	Quarry Site	8.264	\$10 per a. plus \$54.50	McChesney
4344-Sayrs, Emma J.	Maint. Site		Gratis plus Taxes and City Assessments	"
4343-Pike, I. D.	"	5000 sq.ft. at .006¢ per sq.ft.		"
<u>Bend-Crescent - The Dalles-California Highway</u>				
3969-Gilchrist & Co.	Quarry	9.18	Gratis 10-yr Lease	Gardiner
3968-Gilchrist & Co.	Stock Pile	2.14	Gratis 10-yr. Lease	"
<u>Beatty-Bly Section - Klamath Falls-Lakeview Highway</u>				
439-Klamath County	Stock Pile	9.3	\$5.00 Lump Sum	Kelley
<u>Seventeenth Street-Union Avenue Section - East Portland-Oregon City Highway</u>				
2940-Rushlight, May et al	R/W	1.29	\$6500 Lump Sum	DeSouza
(Allegrani)				
<u>Canyon Road-Barnes Road Section - Wolf Creek Highway</u>				
3294-Cooke, O. F.	R/W	1.97	\$2625 Lump Sum	DeSouza

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Enterprise-Joseph Section - Wallowa Lake Highway</u>				
2633-Moore, Sam	R/W	113,400 sq.ft.	\$3250 Lump Sum	DeSouza

The Assistant Attorney brought up for discussion the matter of acquisition of additional 40-acre tracts adjacent to the Klamath Falls-Lakeview Highway in the vicinity of Booth Park, Lake County. It appears that Forrest Cooper, Secretary of the Lake County Chamber of Commerce, in accordance with previous understanding with the Commission, has made arrangements for the purchase of four additional 40-acre tracts along this highway and is desirous of knowing whether or not the Commission still is of the mind to acquire additional acreage in this vicinity. The Commission referred the matter to the Parks Engineer for investigation and recommendation.

The Assistant Attorney reported that indications are that condemnation will have to be resorted to in connection with the acquisition of several parcels of land that are needed for some of the projects on which the Commission contemplates opening bids in the near future. He requested authority from the Commission to institute condemnation proceedings if further negotiations with the property owners reveal that to be necessary. The Commission approved the Attorney's request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Alsea-South Fork Section of the Alsea-Deadwood Highway  
 Rocky Point Section of the Lower Columbia River Highway  
 Powers Ranch-Powell Creek Section of the Williams Highway  
 Foster Creek-Paisley Section of the Fremont Highway  
 Turkey Hill-Chenoweth Park Section of the Pacific Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Alsea-South Fork Section of the Alsea-Deadwood Highway  
 Marie Dewar  
 Rocky Point Section of the Lower Columbia River Highway  
 Joseph P. Parker  
 Powers Ranch-Powell Creek Section of the Williams Highway  
 W. F. Willson  
 Foster Creek-Paisley Section of the Fremont Highway  
 Richard Curran, Jr.  
 Turkey Hill-Chenoweth Park Section of the Pacific Highway  
 T. B. Garrison

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney

General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

He also requested authority to condemn property owned by a Mr. R.R. Clarke and needed as a source of materials in connection with the proposed improvement of the Pacific Highway between Turkey Hill and Chenoweth Park, in Douglas County. The Commission granted the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon and to acquire by donation, purchase, agreement, condemnation, or by the power of eminent domain title to land upon or under which there is gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment or pavement, and to declare the necessity and need for the acquisition thereof and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for the purposes of road construction, improvement, betterment, repair and maintenance and for the purpose of the manufacture of road materials on the following section or sections of the state highway system of the State of Oregon, to wit:

Turkey Hill-Chenoweth Park Section of the Pacific Highway

land and property owned by or in the possession of the following parties and/or persons, to wit:

R. R. Clarke

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties contain gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment, or pavement, and that the said property or properties is or are necessary and needful and the acquisition thereof will be of advantage

to the State of Oregon for the said purposes in order to make it possible for the State Highway Commission to construct, improve, maintain, and repair the said portion or portions of the said state highway system in accordance with the standards adopted by this Commission.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for said purposes and to prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties, or which said descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same shall be lands necessary for the purposes stated herein.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission had under consideration matters pertaining to the acquisition of right of way for the Wolf Creek Highway through the holdings of the Oregon American Lumber Corporation and the Sunset Logging Company, and letters from these companies requesting the early conclusion of such matters. In the discussion of this matter it was brought out that each of the companies permitted the state to enter upon their properties and to construct the highway across the same prior to the completion of the negotiations for the acquisition of the right of way by the state, it being apparent at the time that the right of way negotiations could not be terminated or concluded before the state was ready to proceed with construction operations. It was also brought

out that the acquisition of these properties involves certain features that are of a controversial nature but an agreement has been reached with respect to certain other features. It was the thought of the Commission that the negotiations should be completed at the earliest possible time. Accordingly, the Commission instructed the Engineer and the Attorney to meet with the officers of the two companies and decide definitely on the features with respect to which there is no difference of opinion and then arrange for a conference between the Commission and the companies for the disposal of the remaining features so that these right of way matters may be cleared up definitely as soon as possible for all time.

The Commission had under consideration the matter of acquisition of a triangular tract of land located between the old Pacific Highway and the relocated Pacific Highway at the Southern Pacific Undercrossing in Milwaukie, in order to preserve this area for public use and for roadside beautification rather than to let it get into the hands of private individuals who, it has been reported, intend to erect an unsightly building on the property and conduct a lunch counter business therein which would not only detract from the highway but would also cause a congestion of traffic at a very undesirable point. After discussion, the Commission authorized the Engineer to secure an option for the purchase of this tract from Beatrice Counsell, et al, owners.

The Commission had under consideration a letter from H. P. Andrus, Madras, Oregon, who desires to purchase or lease some state-owned land at the north end of the railroad crossing on the Warm Springs Highway near Madras, which land was acquired by the state for borrow pit purposes in connection with the construction of the grade separation structure. The Engineer advised that the state has no particular need for this property at the present time, it being outside of the standard-width right of way, but there is a possibility that it might be needed for highway purposes at some future time, so he hesitated to recommend that it be sold to Mr. Andrus. He suggested that it might be satisfactory to lease the property to Mr. Andrus at a nominal annual rate. The Commission approved the Engineer's suggestion by unanimous vote and referred the matter to the Attorney to take up with Mr. Andrus. The Commission set a rental rate of \$1.00 per year and instructed the Attorney to limit the lease to a one-year period.

A letter was presented from Forrest E. Cooper, Secretary, Lake County Chamber of Commerce, suggesting that, inasmuch as the Highway Department's engineers are now making a resurvey of the Fremont Highway along the west side of Summer Lake, in Lake County, for the elimination of curves and the widening of the grade, now would be a good time to acquire a site for a proposed historical landmark near the Summer Lake postoffice, which landmark or monument would call attention to the fact that General Fremont descended from the "rim" at that point. The suggestion was approved by the Commission by unanimous vote subject to the condition that the site can be obtained at small expense.

Consideration was given by the Commission to the Attorney's report on his negotiations with Mr. Orris Knapp, Port Orford, for the acquisition of some of his property that is needed by the state as right of way for the

relocation of the Oregon Coast Highway at Port Orford, Curry County. The report indicates that the new location of the highway will affect Mr. Knapp's property seriously and will require that his lot be filled in and his hotel building raised. Mr. Knapp is willing to give the state the right of way if the state will fill in the lot and raise the hotel. The cost to fill the lot as estimated by Division Engineer K. D. Lytle is \$7,400 and the cost to raise the hotel building, build a sidewalk and construct a concrete basement, as estimated by contractors J. W. and J. R. Hillstrom, Marshfield, is \$1,725, making a total of \$9,125. In view of the cost involved, the Commission decided to defer action on the matter until the land is actually needed for highway purposes. The members of the Commission expressed their desire to inspect the property in person before passing final judgment.

The Commission also considered the acquisition of additional right of way at Port Orford across property owned by W. P. Young. The Assistant Attorney advised that Mr. Young demands \$4,000 for 14.3 acres required from him. He gave as his thought that the price asked is exorbitant. The Commission by unanimous vote ordered that the right of way be acquired by condemnation, if necessary, when it is actually needed for state purposes, and instructed that the matter be left in abeyance until there is actual need for the property.

The Commission had under discussion matters pertaining to the proposed Port Orford Dock Road improvement. The Secretary reported that he has written several times to Mr. George Gorman, Port Orford, who is taking an active interest in this matter and who appeared before the Commission at its meeting held on December 17, 1936, in regard thereto, but as yet has received no reply to these communications; so, as far as is known, there are no new developments in the right of way situation. The Secretary was instructed to direct another letter to Mr. Gorman informing him that, if the right of way situation is not satisfactorily disposed of within the next thirty days, the Commission will reallocate to some other project the \$10,000 heretofore set up for this improvement.

The Assistant Attorney reported that he has been unable to arrive at a satisfactory settlement with Zella Kennedy for right of way that is needed for the reconstruction of the Shedd-Halsey Section of the Pacific Highway across her property in Lin County and that she wants \$750 for the property which he values at \$100. He requested authority to condemn the right of way in the event further negotiations reveal that to be necessary. The Commission approved the request by unanimous vote.

Chairman Cabell reported the results of his conference with the State Land Board relative to the shore lines along the Columbia River, needed by the Commission in connection with the construction of the Columbia River Highway on the proposed new location between Troutdale and Bonneville, and the taking of dredge materials from the Columbia River for the purpose of making a roadbed for this highway. He said that the State Land Board has consented to let the Commission secure materials from the bed of the Columbia River below the high water mark for the purpose of constructing a roadbed and that no royalty will be charged for any and all materials taken for such purpose; but

the State Land Board will require payment of the customary royalty of five per cent per cubic yard for materials taken and used in connection with the building of concrete structures, concrete pavement and other highway facilities. Chairman Cabell's action and report were approved by Commissioners Aldrich and Tou Velle.

The Engineer reported the cost to surface and oil the Yale Ranch-McKenzie Summit Section of the McKenzie Highway, as heretofore instructed by the Commission. He said that this section is 20.7 miles in length and that to surface and oil the same to a modern standard of improvement would cost about \$122,000. He suggested that it would be advisable to do this work by stage construction covering a three-year period and that the section that can not be included in this year's program be given an oil treatment as a temporary expedient to allay dust nuisance, which treatment, he estimated, would cost about \$600 per mile. The Commission approved the report by unanimous vote and authorized the Engineer to include a portion of the work in the 1937 program.

The Engineer also submitted a report on the cost to construct alternate routes for a proposed connection of East 39th Street, Portland, to the East Portland-Oregon City Highway. Action on this report was deferred by the Commission until a later date.

Reconsideration was given by the Commission to the matter of rerouting the Pacific Highway through the town of Cottage Grove in connection with which the Commission held a public hearing in the town of Cottage Grove on December 1, 1936, when it appeared to be the consensus of opinion of the local citizens and representatives of the Southern Pacific Company that the permanent route should be located parallel with the Southern Pacific Company's tracks, leaving a 90-foot strip of land between the railroad right of way and the highway right of way, for industrial development. The Engineer advised that, in accordance with instructions from the Commission, he made further inquiry of the railroad company officials as to whether or not provision for a 90-foot strip between the railroad right of way and the highway right of way would be satisfactory from their standpoint and ascertained that a strip of such width meets with their approval. Thereupon the Commission by unanimous vote, upon motion of Commissioner Tou Velle, which was duly seconded by Commissioner Aldrich, adopted the following resolution designating the new route for the Pacific Highway through this town parallel to the railroad tracks and providing for a 90-foot strip between the railroad and the highway:

WHEREAS, pursuant to notice given as required by Section 44-120, Oregon Code 1935 Supplement, the Highway Commission met in the City Hall of Cottage Grove on the first day of December, 1936, for the purpose of conducting a hearing as provided for in said law with respect to the proposed change in the point or place of entrance of the Pacific Highway into said City from the northerly boundary thereof, and the proposed change in the point or place of entrance of said highway into said City from the southerly boundary thereof, and also the proposed change of the route of said highway in and through said City; and

WHEREAS, said meeting was called to order by Henry F. Cabell, Chairman of the State Highway Commission, who explained to those assembled the purpose of the meeting and the proposed change in the route, and the proposed change in the point of entrance of said highway into said City from the northerly boundary, and the point of entrance from the southerly boundary thereof, and the Chairman then invited discussion with respect to said matters and extended to all persons present an opportunity to be heard for or against said proposed change; and

WHEREAS, after all who evidenced a desire to be heard had entered their names in the records and minutes of the meeting and had declared their approval or disapproval of said proposed change, the Chairman of the Commission announced that said matters would be taken under advisement by the Commission and a decision made and announced at a later date; and

WHEREAS, after due and full consideration of said matters and of the arguments and declarations made for and against the said proposed change at said public hearing, both with respect to the point of entrance of said highway into said city from the north and the point of entrance of said highway from the south, and with respect to the change of route in said City, and the Commission now being fully advised with respect to all of said matters, it is the opinion and judgment of the Commission that the interests of the State at large will be best served by the adoption of said proposed change of route of said highway in and through said City and the change in the point of entrance into said City from the northerly boundary or direction and the change in the point of entrance into said City from the southerly boundary thereof, all of which changes will, in the judgment of the Commission, make possible a better alignment, a more serviceable, convenient and safe thoroughfare into and through said City, and, therefore, it is the opinion of the Commission that the route and alignment of said highway should be altered and modified, and the point of entrance into said City from the northerly direction thereof and the point of entrance into said City from the southerly direction thereof, and the route in and through said City should be changed, fixed and determined, all as in said notice announced and at said hearing heard;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, a majority of the members being present and affirmatively voting, as follows:

1. That the route and location of the Pacific Highway as the same enters the City of Cottage Grove from the northerly direction and the route of said highway as the same enters the City of Cottage Grove from the southerly direction, and the route of said highway in and through said City, shall be and the same hereby is routed along a route and streets described and defined as follows, to wit:

Beginning at a point in the center of the present Pacific Highway at approximately mile post 144, said point being approximately 1060 feet north of the north limits of Cottage Grove, said point also being on the westerly side of the Southern Pacific Company's right of way and 40 feet distant therefrom; thence in a southwesterly direction approximately 3000 feet to a point which is 130 feet distant westerly from the Southern Pacific Company's westerly right of way line; thence continuing southwesterly parallel to and 130 feet distant westerly from said Southern Pacific Company's westerly right of way line, approximately 3500 feet to the center of Fifth Street; thence continuing southwesterly approximately 2000 feet to a point in the center of the present Pacific Highway, which point is approximately 1500 feet south of the south city limits of Cottage Grove.

2. That the said above described route, location and alignment be and the same hereby is adopted as the route and location of said highway between the termini as defined and described above.

3. That the Engineer be and he is hereby instructed to definitely locate and establish said highway by proper monuments and markers and make proper record thereof in the records of the Highway Commission, and erect proper signs on the street or streets over which said highway is routed, and proceed with the permanent improvement and maintenance of said highway along the route herein defined and in harmony with plans and specifications by this Commission approved.

4. That this resolution be entered in the records and minutes of the Highway Commission, and a duly certified copy thereof mailed to the Mayor of the City of Cottage Grove, and a like copy to the County Court of Lane County.

The Commission had under consideration the Engineer's report on the advisability of the Highway Commission entering into an agreement with Tillamook County involving an expenditure of state funds for the construction and maintenance of wing dams and dikes to confine the Wilson River to its present channel and to prevent the river from changing its channel to that of Dougherty Slough, which is an overflow channel leaving the Wilson River approximately  $2\frac{1}{2}$  miles east of the Oregon Coast Highway. The Engineer said that the Wilson River and Dougherty Slough cross the highway about nine-tenths mile apart and during flood stages not only the channels of the river and the slough will completely fill but also the area between them is entirely flooded and occasionally the water flows over the highway pavement, but seldom to a depth to interfere with highway traffic. It was his thought that, if the entrance to Dougherty Slough from the river were blocked by wing dams and dikes, serious damage to adjacent lands would result because he does not believe that the Wilson River channel is capable of carrying all of the water that it would have to carry if Dougherty Slough were cut off; and, if the channel could not carry the water, it would break over across the fields and either cut a new channel or flow into Dougherty Slough or Hall Slough, which would defeat the

purpose of the dike. He pointed out that during the past two years the Wilson River has shown a tendency to change its channel by cutting into the land on the opposite side of the river from the entrance to Dougherty Slough and appears to be endeavoring to straighten its channel. Due to the fact that no particular damage has been done to the highway during this interim and as the confining and diverting of the river by the State Highway Department may in the future lead to damage suits, he recommended that the state do not enter into an agreement with the county to close off Dougherty Slough, at least not at this time. The Commission approved the Engineer's recommendation by unanimous vote.

The Engineer brought up for discussion matters pertaining to the artificial lighting of Tooth Rock Tunnel on the Upper Columbia River Highway in Multnomah County. He advised that the contract for the electric wiring in this tunnel contemplated the use of electric power from the West Coast Power Company's 66,000-volt circuit nearby, and accordingly transformers and control equipment were specified to meet this condition. Since then, he said, information has been received to the effect that the Government will furnish power from Bonneville Dam at a potential of 2400 volts but such power cannot be furnished until about November 1, neither is the Government able to supply power from its smaller construction generator that it now has in operation. He further advised that the transformers and control equipment required for the connection with the West Coast Power Company's 66,000-volt circuit can not be used in connection with the Government's 2400-volt circuit. The transformers, he explained, will cost about \$1,000 and to connect them with the power company's line with a service cable will cost an additional \$125, making a total of \$1,125 which would have to be spent to provide a temporary hook-up for lighting the tunnel until the Bonneville Dam power is available, which would be for about two and one-half months according to information received from the Bureau of Public Roads. He gave as his thought that this expense is not justified and suggested that the tunnel be operated unlighted during this two and one-half-month period rather than go to the expense of the temporary installation. The Commission by unanimous vote concurred in the Engineer's suggestion and so ordered.

The Engineer also discussed with the Commission additional matters pertaining to the lighting of Tooth Rock Tunnel. He said that the savings that accrue from changing the transformers from 6900 to 2400 volt can not be used to finance the construction of the power line for lighting the tunnel because it is outside of the limits of the project and the rules of the Bureau of Public Roads will not permit expenditures beyond the limits of the project, hence the power line would have to be financed with state funds. He further stated that the Government will require that the wires be installed in parkway cable across the government property but is not particularly concerned with the type of installation beyond that limit; also, that it will cost about \$2,000 to furnish the parkway cable throughout the complete installation, whereas a combination of cable across the government property and an open line for the balance of the distance would cost approximately \$1,700. He recommended cable installation throughout at the increased cost because it will provide better construction. The Commission approved the recommendation by unanimous vote.

The Engineer also advised that the Government has agreed to furnish free power not only for lighting the tunnel but also for lighting one mile of highway with sodium vapor lights. In order to take advantage of this feature he said it would be necessary to install transformers of a size sufficient to take care of the highway lighting as well as the tunnel lighting, which would cost approximately \$50 more than the estimated cost for the smaller transformers. He recommended the installation of the larger transformers at this time at the increased cost, which he said would be much cheaper than to install two separate transformers later on. The Commission approved the Engineer's recommendation by unanimous vote.

The Commission adjourned at 11:00 o'clock p. m. to reconvene at 9:00 o'clock a. m. the following day, in the Auditorium of the Public Service Building.

Portland, Oregon, February 18, 1937.

The Commission met in regular session in the Auditorium of the Public Service Building at the hour of 9:00 A. M. of this day. Present were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
H. B. Glaisyer, Secretary  
J. M. Devers, Attorney

Bids as follows for highway construction projects were opened and read in conformance with previously published notice, the opening of bids for the sale of buildings in Roseburg having been postponed until 12:00 o'clock M.:

OLD OREGON TRAIL  
GALES-LIME SECTION - BITUMINOUS MACADAM.  
OIL MAT SURFACE TREATMENT

Babler Bros.	\$ 73,764.00
Warren Northwest, Inc.	75,853.00
Edwin C. Gerber	76,704.10
Newport Construction Company and Kern & Kibbe	79,202.00

WOLF CREEK HIGHWAY  
ELSIE-NEHALEM RIVER SECTION - GRADING, ADDITIONAL CLEARING

Coos Bay Construction Company	\$ 85,870.00
*Roy L. Houck	86,348.00
Leonard & Slate	94,703.00
Consolidated Highway Company, Inc.	98,673.50
F. C. Dillard	102,968.00
Jacobsen-Jensen Co.	104,560.00
Wren & Greenough	105,856.50

(Continued on next page) \* Irregular bid

(Elsie-Nehalem River Section, continued)

E. L. Gates	\$106,520.50
Harold Blake	106,660.50
McNutt Bros.	109,533.00
J. A. Lyons	110,220.00
Kern & Kibbe	112,415.00
White Trucking Co.	115,659.00
Kuckenberg-Wittman Co.	127,330.00
Joplin & Eldon	128,498.00
P. L. Crooks & Company	132,100.00

OREGON COAST HIGHWAY  
CURRY COUNTY ROCK PRODUCTION PROJECT - CRUSHED GRAVEL IN STOCK PILE

Corvallis Sand & Gravel Company	\$ 25,169.00
A. S. Wallace	26,940.00
Saxton & Looney and J. S. Risley	28,680.00
R. O. Dail and Warren Bros.	32,940.00
Homer G. Johnson	33,440.00
E. C. Hall	34,660.00
Coos Bay Dredging Company	34,758.00
Babler Bros.	35,670.00

PACIFIC HIGHWAY  
NORTH ROSEBURG SECTION - GRADING

Lump Sum Reduction for combination award with Deer Creek Bridge

Roy L. Houck	\$ 100.00	*\$19,175.00
Anderson Construction Company		23,932.40
F. C. Dillard		23,941.50
Leonard & Slate		24,653.50
Oregon Contracting Company	1,000.00	*26,846.00
George Schmitt		27,491.00
Edlefsen-Weygandt Company	450.00	*28,214.60
Kern & Kibbe	800.00	29,581.50
Consolidated Highway Company, Inc.		29,576.20
Clifford A. Dunn		*29,715.00
E. C. Hall		30,075.50
Homer G. Johnson		30,450.00
Medford Concrete Construction Company		*30,964.00
Parker-Schram Company		*31,271.60
J. A. Lyons		33,188.00
McNutt Bros.	500.00	*33,308.00
C. J. Montag & Son		*33,956.00
C. T. Malcom		34,484.50
Joplin & Eldon	1,000.00	40,499.50
The United Contracting Company, Inc.		46,999.20
P. L. Crooks & Company, Inc.		*56,640.00

\* Will not accept the North Roseburg Project alone.

PACIFIC HIGHWAY  
CONCRETE BRIDGE OVER DEER CREEK  
CONCRETE RETAINING WALL NEAR THE JUNIOR HIGH SCHOOL  
IN ROSEBURG

Mountain States Construction Company	\$ 35,133.00
C. J. Montag & Son	37,345.00
Edlefsen-Weygandt Company	*38,217.50
Tom Lillebo	38,921.50
Warren Northwest, Inc.	39,760.00
Averill & Corbin	40,112.00
Clifford A. Dunn	*41,406.00
Oregon Contracting Company	*42,200.00
Joplin & Eldon	42,611.00
McNutt Bros.	*43,104.00
Leonard & Slate	*43,187.50
Kern & Kibbe	43,418.00
Parker-Schram Company	*44,122.50
The United Contracting Company	44,310.00
Medford Concrete Construction Company	*44,760.00
Roy L. Houck	45,270.00
P. L. Crooks & Company	*52,470.00

\* Will not accept this project alone.

PACIFIC HIGHWAY  
SHADY POINT-KELLY CORNER SECTION  
GRADING AND PAVEMENT

Jacobsen-Jensen Company	\$ 59,882.00
Mountain States Construction Company	63,023.50
Edlefsen-Weygandt Company	69,276.50
Oregon Contracting Company	69,941.00
Harold Blake	72,092.00
Parker-Schram Company	72,464.00
Warren Northwest, Inc.	72,692.50
The United Contracting Company	75,137.50

PACIFIC HIGHWAY  
SHEDD-HALSEY SECTION - GRADING AND PAVEMENT

Warren Northwest, Inc.	\$181,501.00
Jacobsen-Jensen Company	183,862.80
Oregon Contracting Company	186,011.50
Saxton & Looney, J. S. Risley, and J. C. Compton	192,043.50
Parker-Schram Company	194,460.50
Harold Blake	195,102.00
Homer G. Johnson	195,602.50
Roy L. Houck	197,494.00
E. C. Hall	203,424.00
Consolidated Highway Company, Inc.	213,225.52

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(Shedd-Halsey Section, continued)

Newport Construction Company and Kern & Kibbe	\$213,335.00
Babler Bros.	216,877.50
McNutt Bros.	259,528.00

SHANIKO-FOSSIL SECONDARY HIGHWAY  
UNIT NO. 3, CHICHESTER GULCH SUMMIT SECTION  
GRADING AND TALUS TOPPING MATERIALS

Fisher Bros.	\$ 11,828.00
McNutt Bros.	12,415.00
Leonard & Slate	13,340.00
M. L. O'Neil & Son	13,440.75
Joplin & Eldon	13,820.00
Edward F. Webber	13,950.00
Coos Bay Construction Company	14,305.00
Anderson Construction Company	14,887.00
Consolidated Highway Company, Inc.	17,054.00
Giant Construction Company	17,185.50
George Schmitt	20,530.50

Chairman Cabell announced that the Commission would award contracts at 4:30 o'clock p. m. in the same room.

A delegation from the city of Portland, consisting of Wm. F. Woodward, President, Metropolitan Association, Inc.; Ormond R. Bean, Commissioner of Public Works, Portland; J. E. Bennett, Commissioner of Public Affairs, Portland; U. L. Upson, Executive Secretary, Metropolitan Association, Inc.; L. M. Lepper, Director, East Side Commercial Club; Mr. Beatty; Colonel G. T. Woodward; Dr. Ben N. Wade; Mr. C. C. Friendly; Wilson Clark, representing the Clark-Wilson Lumber Company; Mr. Z. Swett; Mr. Ellison; Mr. Pete Pihl, representing Pihl Transfer and Storage; Mr. Walter E. Gelinsky, representing the meat packing industry; Stephen A. Hull; Mr. Moses; Mr. Shealey, representing insurance interests; and Mr. H. Rosenthal, came before the Highway Commission and urged the early construction of the proposed Foothills Boulevard in Portland from Ross Island Bridge to a connection with the Lower Columbia River Highway in northwest Portland. Mr. Woodward headed the group and introduced the speakers.

Commissioner Bean indorsed the project in behalf of the Portland City Council. He said that the West Side District of Portland is in need of all the help it can get and a good connecting road or street between the west side and the east side would be of inestimable benefit. He also urged the improvement in order to take care of the increased volume of traffic that is anticipated upon completion of the improvements now under way and contemplated on the West Side Pacific Highway and the Wilsonville shortcut highway to Salem.

Commissioner Bennett concurred in the remarks of Commissioner Bean and urged all possible haste in the construction of the project in the interests of the investments in Portland on the west side of the Willamette River. He said that they would rather not tie the Commission down to any specific program

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but prefer that the Commission formulate its own plan for relieving the existing situation and do whatever it deems best.

Mr. Woodward pointed out that about two years have passed since the Metropolitan Association came before the Commission and asked for this improvement. At that time, he said, their organization took a divided stand on this project and the proposed Water Street project but they now recognize the futility of asking for consideration of both projects and are appearing this morning as a unit in favor of the Foothills Boulevard, and he wished to make it clear that no individual or group is endeavoring to secure the Commission's favor toward any one particular idea or project.

Mr. Upson advised that there has been a big shrinkage in property values on the west side of the Willamette River in Portland, especially between Fourth Street and the river, because of the "pocket" that exists in that location, under present conditions. He said that there is no direct connection between any of the main arteries of travel entering the West Side district except through the congested area and that a stranger entering Portland over one of the existing routes has difficulty in finding a way out.

Mr. Beatty exhibited a map of the West Side district of Portland showing the highway entrances mentioned by Mr. Upson. He said that the delegation is not asking for any special route across the West Side but would like to have this problem put on the highway program for solution as the Commission sees best. He confirmed Mr. Upson's remarks that there is at present no direct route of travel through Portland on the west side of the river and suggested that the Commission solve the problem before the Wilson River Highway and the Wolf Creek Highway projects are completed so that traffic, which is bound to be heavy when these roads are done, can be taken care of with the least possible inconvenience.

Mr. Lepper suggested that the Foothills Boulevard Section should be constructed in units and that the first unit should start at Front and Arthur Streets and extend to Jefferson Street; the balance, to a connection with the Lower Columbia River Highway, to be completed in an orderly program as funds become available. He urged the Commission not to consider this project in connection with the Front Street project but to consider it alone, since, in his estimation, the greatest good for the greatest number will thereby be accomplished. He indorsed Mr. Beatty's suggestion that the section between Front Street and Jefferson Street be completed as soon as possible in order to take care of the increased volume of traffic when the Wolf Creek and Wilson River Highways are completed.

Colonel Woodlaw stated that he has a business located on Fourth Street and he hoped that the Commission would at some time undertake the Water Street project, but regardless of the possible ruin to his business interests, for which the greatest part of his life has been given, he will stand behind the Commission in whatever it thinks best in the solution of the present traffic problem. He mentioned that Fourth Street is a great wide street on which truck traffic is very heavy and suggested that, if the Commission could find its way clear to construct the Foothills Boulevard to take care of the traffic

that comes down Jefferson Street and the Canyon Road, it would relieve Fourth Street of a lot of unnecessary traffic, which would meet with his approval.

Dr. Wade said that he thought the consensus of opinion of the group is to ask for some relief from the congestion in the west side district. He also said that they would like to have a "joining-up" of some of the main arteries of travel and that they are not presuming to tell the Commission which arteries to connect but would suggest a connecting link across the city from the north to the south and another from the east to the west.

Mr. Friendly also urged the Commission to provide an arterial connection between the highways entering the city from the south to the new routes that are being constructed from Portland to the coast.

Messrs. Clark, Swett and Ellison indorsed the remarks of the other speakers and Mr. Ellison particularly stated that in his opinion the construction of Foothills Boulevard is a common-sense thing to do.

Mr. Pihl urged the improvement in behalf of the transfer companies. He said that transportation is the lifeblood of trade and they need main arteries of travel across the West Portland district from the east to the west and from the north to the south.

Mr. Gelinsky said that he owns a business on Front Street which he has wanted to improve for a number of years, but is being held up by the proposed widening of Front street. He said that he is anxious to go ahead with these improvements but hesitates to do so because of the feeling that the Front Street project will be undertaken and his money will be wasted. He said that Front Street ought to be widened but he will be satisfied if the Commission will construct another arterial street or widen some of the streets in that part of the city, which would relieve traffic conditions.

Mr. Hull predicted that, if there are more arterial highways through the west side business district of Portland, the city will grow in the next ten years faster than any other city on the Pacific Coast.

Mr. Moses urged the Foothills Boulevard project in behalf of the south Portland interests.

Mr. Shealey indorsed the project in behalf of the insurance personnel.

Mr. Rosenthal said that the construction of the Foothills Boulevard diagonal road is an absolute necessity for the relief of traffic congestion. He urged the immediate construction of a broad highway from the Ross Island bridge to at least Fourteenth Street.

Chairman Cabell advised that the Commission is authorized to construct, with federal and state funds, road projects in cities, and to purchase right of way for the same, but did not think that the state as a whole would support the Commission in spending its money for right of way for a project as expensive as the Foothills Boulevard, in view of the necessity for construction

work in other locations. He also said that the controlling feature is the ratio of right of way cost to construction cost and that perhaps the Commission could go as high as fifteen per cent for right of way but the people of the state would not approve of spending a larger percentage of construction funds for the purchase of real estate. He added that some way would have to be found to meet the right of way expenses before the Commission could undertake the work; however, the Commission will be glad to look into the proposition as a possible project but it is doubtful that the project could be included in this year's program.

Mr. George L. Rauch, representing the Commercial Truck Operators and Owners, discussed with the Commission matters pertaining to the rental of trucks on the Wolf Creek and Wilson River W.P.A. projects. He spoke in opposition to the state purchasing trucks for these jobs and stated that the Government in business is destroying business and that the men that he represents are citizens and are endeavoring to do business as best they can until better times come, and the fact that the Government is competing in this business will delay recovery for an indefinite period. He urged the Commission to employ commercial utilities and alleged that the Commission would be justified in doing so because of the effect it would have on the economic situation. He added that business cannot be conducted in competition with an agency that is not confronted with a profit angle.

At 12:00 o'clock m. bids as follows were opened and read for the purchase of buildings on the newly acquired right of way of the Pacific Highway in Roseburg:

BUILDING "A"		
H. O. Pargeter		\$533.00
J. B. Bailey		400.00
Dolan Wrecking Co.		20.00
BUILDING "B"		
Dolan Wrecking Co.		\$ 15.00
BUILDING "C"		
Dolan Wrecking Co.		\$ 5.00
BUILDING "D"		
F. F. Criteser		\$400.00
Dolan Wrecking Co.		25.00
BUILDING "E"		
Paul Hempel (First choice)		\$ 30.00
Dolan Wrecking Co.		5.00
BUILDING "F"		
Joseph L. LaFayette (First choice)		\$101.00
P. M. Blaschke		50.00
Dolan Wrecking Co.		10.00
J. H. Bosard		4.00

BUILDING "G"	
Ray Anderson	\$ 60.00
S. W. Starmer	50.00
E. H. Crane (First choice)	30.00
Dolan Wrecking Co.	20.00

BUILDING "H"	
Joseph L. La Fayette (Alternate for "F")	\$126.00
H. O. Pargeter	72.00
H. Case (Second choice)	55.00
Mary F. Matthews (Alternate for "L")	20.00
E. H. Crane (Alternate for "G")	20.00
Dolan Wrecking Co.	10.00

BUILDINGS "G" AND "H"	
G. E. Foster	\$730.00

BUILDING "I"	
C. A. Harvey	82.00
George A. Hansen	80.00
H. Case (Third choice)	45.00
Paul Hempel (First choice)	40.00
E.R. Holm (Alternate for "O")	31.00
J. R. Dusenbery	26.00
Dolan Wrecking Co.	2.50

BUILDING "J"	
H. Case (First choice)	\$ 62.00
George A. Hansen	37.50
Norman J. Hyde (First choice)	30.00
Paul Hempel (Alternate for "E")	30.00
Ray Anderson	15.00
Mary F. Matthews	15.00
Dolan Wrecking Co.	1.00

BUILDING "K"	
H. Case (Fourth choice)	\$ 40.00
Norman J. Hyde (Alternate for "J")	20.00
Ray Anderson	15.00
Mary F. Matthews	12.00
J. H. Bosard	10.00
Dolan Wrecking Co.	1.00

BUILDING "L"	
Mary F. Matthews (First choice)	\$ 20.00
Dolan Wrecking Co.	1.00

BUILDING "M"	
Edmund L. Dolan	\$100.00
George A. Hansen	47.50
Paul Hempel (Alternate for "I")	40.00
J. H. Bosard	10.00
Dolan Wrecking Co.	1.00

## BUILDING "N"

B. F. Chilson (First choice)	\$ 20.00
Dolan Wrecking Co.	7.00
J. H. Bosard	2.00

## BUILDING "O"

George A. Hansen	55.00
H. Case (Fifth choice)	35.00
E. R. Holm (First choice)	31.00
B. F. Chilson (Alternate for "N")	20.00
Dolan Wrecking Co.	1.00

Chairman Cabell announced that the sale of buildings would be made at 4:30 o'clock p. m.

The Commission adjourned at 12:30 o'clock p. m. to reconvene at 2:00 o'clock p. m. in the same room.

The State Highway Commission reconvened at 2:30 o'clock p. m. in the Auditorium of the Public Service Building with all members, the State Highway Engineer, the Attorney and the Secretary present.

Mr. Edward C. Pease, The Dalles, and Colonel C. F. Williams and Major A. E. McKennett, United States War Department, were present and discussed with the Commission an alternate route for the Columbia River Highway through the city of The Dalles. Also present and entering into the discussion of this matter were County Judge G. G. Shults and County Engineer Christ Fauerso of Wasco County.

Mr. Pease stated that the Federal Government contemplates spending a large sum of money for the improvement of the Columbia River channel in the vicinity of The Dalles and the plans include the construction of a levee in The Dalles at some location between First Street and the city's docks. He gave as his thought that the highway through The Dalles in the not far distant future will have to be rerouted in order to avoid the congestion on the present route along Second Street, and suggested that it would be a good idea for the state to join with the Federal Government in the construction of the proposed levee, which could be built wide enough to accommodate the highway as well as to serve the purpose for which the army engineers intend it. A map was exhibited showing two alternate proposed routes both of which involve the crossing of the O.W.R. & N. railroad, one crossing being at the east limits of The Dalles and the other at the west limits of The Dalles. One of these routes parallels approximately the O.W.R. & N. tracks between First Street and Water Street and, and the other, which is longer and contains more curvature, follows in close proximity to the new docks on The Dalles waterfront. Mr. Pease favored the route close to the docks so that it could be used for dock purposes. The State Highway Engineer favored the other route, which is more direct, if the Commission should decide to reroute the highway through The Dalles.

Colonel Williams stated that the Government has no particular interest in the construction of the new highway and would therefore be willing to

construct its levee on either location although from their standpoint it would be cheaper to construct the levee on the location nearest the railroad, which, of course, would defeat the purpose for which the city wants to use it. He said that the matter should be decided soon so they can consider it in their plans for the levee construction. He added that the Government would offer no objections to the use of the levee as a highway and the widening of the same by the state to accommodate such highway.

Mr. Pease reiterated that there is congestion of traffic on the present highway route and traffic is increasing continuously and an alternate route must eventually be selected in order to relieve this congestion.

The Engineer inquired of W. H. Lynch, District Engineer of the Bureau of Public Roads, who was present, whether or not the Bureau of Public Roads will join the state in the cost of an alternate route, in view of the contemplated congestion of traffic on the present route.

Mr. Lynch replied that he would have to withhold his answer until such time as the congestion develops.

Chairman Cabell pointed out that the present routing of the Columbia River Highway through The Dalles is practically straight, whereas through many towns in the state the highway routes contain numerous turns. He also pointed out that the Commission has only a limited amount of money to spend and gave as his thought that the Commission should not spend this money or any part of it to start a program of constructing alternate routes for state highways through municipalities while it is so badly needed for other purposes. Further, that in his estimation the Commission would be severely criticized if it started out on a program of this kind while there are so many cities and towns throughout the state that do not have even one good highway.

The matter of financing the proposed highway was discussed and the question arose whether or not the federal moneys which are provided to finance railroad grade crossing eliminations could be used for such purpose, in view of the fact that some of the money could be spent for the O.W.R. & N. crossings at the east and west city limits. Mr. Lynch stated that he did not believe that this money could be spent for such purpose because the highway is at present nonexistent and there would be no hazards to eliminate.

Mr. Fauerso suggested that the expenditure of government money for a grade elimination structure at the west city limits of The Dalles might be justified because it would eliminate an existing grade crossing on the county road in this vicinity.

Chairman Cabell stated that the proposed development may materialize eventually but in his estimation it is a long way in the future. He pointed out that the necessity for the improvement is based on prospective tonnage and advised that the State Highway Commission can not commit state funds on prospective tonnage or on the theory that traffic is going to develop. He concluded the discussion by stating that the Commission cannot give the delegation

a definite answer now but will take the proposition under advisement and will let them know within the next few days.

Mr. Leland James, representing the Allied Truck Owners Association and the Consolidated Freight Lines, Inc., Portland, conferred with the Commission in regard to Senate Bill No. 130 as now before the State Legislature.

Chairman Cabell explained the Commission's attitude in regard to this bill and advised Mr. James that the Commission has outlined its stand in a letter directed to the Roads and Highways Committee of the Senate and is not inclined to make any change in its stand on this matter. (See letter dated February 17, which was approved by the Commission on the previous evening.)

The County Court of Grant County, represented by County Judge J. H. Allen and County Commissioner John Porter, accompanied by James Dixon, Dan W. Fisk, Ray Galbraith and Carl Brown of Prairie City and William Ford of John Day, came before the Commission and requested additional improvements on the John Day Highway between Dayville and the Baker County line. They also requested improvements to the Pendleton-John Day Highway, particularly in the vicinity of Fox Valley. They asked for reconditioning and oiling of these sections. Speaking in behalf of the improvements were Judge Allen and Mr. Brown.

Mr. Brown stated that conditions on the John Day Highway are acute. He suggested a continuance of the present oiling program to the town of John Day this year, and the oiling of the John Day-Prairie City Section in 1938.

Chairman Cabell explained that the Commission can get best value for its money by constructing west of the town of John Day, and, in the minds of the Commission, the next improvement should join the improvement heretofore completed so as to make for continuous construction. He pointed out that the alignment of the highway between John Day and Prairie City is not very good and that this section would have to be regraded on new alignment before the eventual improvement could be made.

Commissioner Aldrich suggested that the proper procedure would be to construct first a light oil treatment up to the town of John Day from the west, then continue the oiling work easterly to the town of Prairie City as a second project when funds can be spared to finance it. It was his thought that the first step in the improvement east of the town of John Day would be to acquire the right of way and he gave as his thought that a start should be made now in securing the right of way, in order to obtain advantage of the lowest possible prices. Chairman Cabell and Commissioner Tou Velle concurred and the Engineer was thereupon authorized to negotiate at once for options for the right of way between John Day and Prairie City.

Judge Allen requested cooperation from the Commission in the enlargement of the channel of Little Beech Creek under the highway bridge in the town of Mount Vernon. The Commission agreed to look into the matter. (The Engineer rendered a report on this subject later in the session.)

Mr. Howard T. McCulloch, lawyer, Portland, appeared before the Commission in behalf of the Evans Products Company, Powers and Davis Logging Company and R. S. Weekly, relative to transporting logs over the Oregon Coast Highway, from a point about six miles south of Bandon to the town of Bandon during Saturday afternoons, Sundays and holidays, for a limited period of time. After considerable discussion the Commission authorized the issuance of a 30-day permit for the trucking of logs over this section of the highway during the restricted periods, with the understanding that the permit would be renewed at the end of the 30-day period in the event that the increase in the volume of other traffic is not large and no undue hazard to other traffic is created thereby. Mr. McCulloch was also given to understand that very likely it would be necessary to prohibit all logging operations on the road during the restricted periods from the first of May until fall because of the heavy tourist travel on this month during the summer months.

Mr. McCulloch mentioned that there are a number of operators who are carrying on log hauling on this highway during the restricted period without permits from the Highway Commission. The Secretary was instructed by the Commission to ask the State Police Department to investigate the report and take action as may be necessary to stop the practice.

The Tillamook County Court, consisting of Judge H. H. Rosenberg and County Commissioners E. H. Lindsey and E. G. Anderson, came before the Commission in regard to secondary highway matters. They inquired whether or not the Commission plans to place additional Tillamook County roads on the secondary highway system. Judge Rosenberg explained that Tillamook County's road bonds will be paid up in 1939, which will place them in a position to sell additional bonds or raise funds in some other way to cooperate with the Commission financially in the improvement of some of the county roads as P.W.A. projects or otherwise, if they are put on the secondary highway system.

The Engineer explained the Commission's financial status. Chairman Cabell advised that the Commission is not in a position to discuss this matter until it has had an opportunity to study the federal rules and regulations for the expenditure of the Government's money, which rules and regulations were just received today.

Judge Rosenberg suggested a county bond issue, maturing in three to five years, or the assignment to the State Highway Commission of Tillamook County's share of the motor vehicle funds over a two-year period, totalling about \$50,000, which the State Highway Commission could match with state money, thereby securing a worth-while project. He also mentioned that it might be possible to secure P.W.A. funds on a 45%-55% basis, the 55 per cent to be split between the county and the state.

He was informed by Chairman Cabell that it is contrary to the P.W.A. rulings to combine match moneys, and the 55 per cent would have to be either all state money or all county money. He added that the Commission should be ready in a few weeks to make a definite decision in regard to secondary road improvements and will be glad to talk to the Tillamook County Court again at that time. He further stated that, in his estimation, Tillamook County does

not have as much secondary state highway mileage as it is entitled to and that the Commission will bear that in mind in future discussions of secondary highways.

The Engineer brought up the matter of the damage that is being done to the Oregon Coast Highway at the north city limits of Tillamook by the Coates Lumber Company. It appears that the company's lumber storage yard is located some little distance from the company's mill and it is necessary to move the lumber over the highway from the mill to the yard, in connection with which operation the company uses tractors and steel-tired trailers that cause serious damage to the highway pavement. The Engineer gave as his thought that the company should provide its own road between the mill and the yard, or make other arrangements so that the highway will not be damaged hereafter. He asked the County Court for its views on the subject.

Judge Rosenberg stated that the company has known for a long time that the highway was being damaged by its operations and in his estimation the company should be required to do whatever is necessary to eliminate the cause of the damage. The Commission decided to inspect the conditions en route to Marshfield on the following day.

A delegation from Portland, headed by Mr. J. M. Wise, President, Lombard Commercial Club, appeared before the Commission and presented arguments in behalf of an arterial highway across north Portland. The delegation consisted of the following: L. W. Carter, First Vice President of Lombard Commercial Club; A. Boscowitz, Vice President of Lombard Commercial Club; and Lowell Mundorf, representing St. Johns Business Men's Association and the St. Johns Community Club. They asked the Commission to extend Lombard Street easterly from its present terminus at N.E. Eleventh Street, parallel to and on the south side of the O.W.R. & N. railroad tracks to a connection with Sandy Boulevard (Columbia River Highway route) at Parkrose, a distance of approximately eight miles. Mr. Carter stated that at present there is no direct connection between Union Avenue and Sandy Boulevard except by Columbia Boulevard, which is narrow, crooked, and contains two railroad grade crossings. The route that they propose, he said, is comparatively straight, will eliminate the two railroad grade crossings on Columbia Boulevard and several on city streets that now connect with Columbia Boulevard.

Mr. Mundorf urged the improvement as a shortcut for through traffic from St. Johns Bridge to the Columbia River Highway, avoiding congested districts. He said that this road would be of inestimable benefit to truckers, industrialists, and freight traffic, and will provide a direct highway connection for the northeast section of Portland.

Mr. Wise predicted a large increase in traffic on Columbia Boulevard because of Portland's new airport, which is located in this vicinity, and accompanying increased traffic commotion and congestion. Columbia Boulevard, he said, is not adequate to handle this increased traffic and will have to be widened and improved unless the proposed new route is made available. He suggested that it would be much better and cheaper to construct the proposed new route than to rebuild the old one; and in addition, the project, if

undertaken now, would furnish much needed employment for labor. He alleged that Portland furnishes 40 per cent of the money that goes into the state highway fund and in his estimation is entitled to this improvement from that standpoint. He advised the Commission that the affiliated Clubs of the Peninsula Organization is also strongly in favor of the construction of the new route and that it was the intention of the president of the association, Mr. A. W. Davis, to be present at this meeting to present additional arguments in support of the same but he was unable to attend on account of illness.

Mr. Boscowitz spoke for the improvement from the scenic standpoint, advising that the road will open up a beautiful panoramic view.

Chairman Cabell concluded the discussion by stating that the Commission appreciates that this project has a lot of merit but its construction is dependent upon funds and priority of projects, which precludes the Commission from making any definite statements relative thereto at the present time.

Mr. Wise presented a written brief in behalf of the St. Johns Business Men's Club, Portsmouth Community Club, Lombard Commercial Club, and the Affiliated League of Peninsula Clubs, supporting their oral arguments.

The County Court of Washington County, consisting of County Judge Donald T. Templeton and County Commissioners H. D. Kerkman and James Lewis, were present and conferred with the Commission on several road matters. Judge Templeton stated that the W.P.A. authorities have asked Washington County to sponsor some new projects on the Wilson River and Wolf Creek Highways, which the county is willing to do if the State Highway Commission will assume the payment of the sponsor's contribution, the county being without funds for such purpose. He asked for a letter from the Commission stating its willingness to assume such obligation. He was informed by Chairman Cabell that the Commission has received the project statements covering the additional work but has not yet acted on them but expects to do so shortly. He pointed out that the amounts involved are very large, which raises the questions, where is the money to come from and is the expenditure advisable. These matters, he said, will be discussed and decided by the Commission within the next few days but the Commission cannot make any statements in regard thereto at this time. He added that there is a question whether or not the Commission should undertake these additional projects until those now under construction are completed.

Judge Templeton then asked the Commission to surface the newly graded portion of the Wilson River Highway from its junction with the county road at Glenwood westerly about two miles to a connection with the road the Consolidated Lumber Company's plant, so as to make this new grade usable. He explained that the county road that is now being used has been badly torn up by Wilson River W.P.A. traffic and in his estimation it would be better to surface the new grade than to repair the old road. In the discussion it developed that the improvement involves also the construction of two bridges over Gales Creek, which would be rather costly. The County Court was advised that the matter would be investigated.

Judge Templeton also asked the Commission to designate as a secondary state highway the road known as the Gales Creek Road from Forest Grove

at least as far as the Wilson River Highway junction. Chairman Cabell inquired whether or not this designation is the County Court's first choice. Judge Templeton replied that it probably is not the County Court's first choice but it is the most logical choice.

The Engineer advised that the State Highway Department, in conjunction with the Federal Government, is now conducting a state-wide planning survey to obtain factual data concerning all of the roads of the state, and that the Commission has determined not to add any more roads to the secondary highway system until this survey is completed and the data studied. He added that consideration will be given to the Gales Creek Road when the matter comes up for discussion.

Judge Templeton then inquired into the possibilities of securing additional improvements to this road, to be financed with federal funds that are required to be spent for county road construction, in the event the Commission felt it could not designate it as a secondary state highway.

The Engineer advised that the rules and regulations governing the federal moneys were received just today and the Commission has not yet had an opportunity to study them, so his inquiry will have to go unanswered for the time being.

Mr. George Foster, Dayton, and former County Commissioner W.A. Allan of Yamhill County came before the Commission in regard to the completion of the Salem-Dayton Secondary State Highway. They reiterated arguments previously presented in behalf of the project and Mr. Allan recited the history of the road. He alleged that this is the most important farm-to-market road in the state and should be completed at the earliest possible time.

Chairman Cabell advised that the continuance of this project depends on the availability of funds. He explained that the Commission has tentatively set up in its 1937 budget an amount of \$40,000 for the construction of the section in the vicinity of the Spaulding Ranch, but there is nothing definite to report at this time.

At 4:30 o'clock p. m. Chairman Cabell announced the following awards of contracts and the sale of houses in Roseburg, for which bids were opened at the morning session, the awards having been previously approved by the Commission by unanimous vote:

"Gales-Lime Section of the Old Oregon Trail, in Baker County. 9.08 miles bituminous macadam wearing surface, 0.50 mile oil mat surface treatment, and furnish crushed rock in stock pile. The low bid submitted was that of Babler Bros., Portland, at \$73,764.00. The next low bid was that submitted by Warren Northwest, Inc., Portland, at \$75,853.00. There were two higher bidders. The Commission has awarded this contract to the low bidder, Babler Bros., at their bid price of \$73,764.00.

"Elsie-Nehalem River Section of the Wolf Creek Highway, in Clatsop County. 1.16 miles grading and 0.15 mile additional clearing.

The low bid submitted was that of Coos Bay Construction Company, Portland, at \$85,870.00. The next low bid was that submitted by Roy L. Houck, Salem, at \$86,348.00. However, Mr. Houck's bid has been disqualified because it is evident from his proposal that he was endeavoring to pick his own job, therefore his bid can not be considered. The third low bid was that of Leonard & Slate, Multnomah, at \$94,703.00. There were thirteen higher bidders. The Commission has awarded this contract to the low bidder, Coos Bay Construction Company, at their bid price of \$85,870.00.

"Curry County Rock Production Project, on the Oregon Coast Highway in Curry County. Furnish 17,400 cubic yards crushed gravel in stock pile. The low bid was that submitted by Corvallis Sand and Gravel Company, Corvallis, at \$25,169.00. The next low bid was that submitted by A.S. Wallace, Roseburg, at \$26,940.00. There were six higher bidders. The Commission has awarded the contract to the low bidder, Corvallis Sand and Gravel Company, at their bid price of \$25,169.00.

"North Roseburg Section of the Pacific Highway, in Douglas County. 0.72 mile grading. The low bid was that submitted by Roy L. Houck, Salem, at \$19,175.00, with a lump sum reduction of \$100 if awarded also the contract for the construction of the Deer Creek bridge. Mr. Houck stated that he would not accept the North Roseburg Project alone. The second low bid was that submitted by Anderson Construction Company, Portland, at \$23,932.40. The third low bid was that submitted by F. C. Dillard, Medford, at \$23,941.50. There were eighteen higher bidders. Due to the fact that Mr. Houck qualified his bid by stating that he would not accept this contract without also being awarded the contract for the Deer Creek bridge construction and also due to the fact that Mr. Houck's bid for the Deer Creek bridge was not the low bid submitted for such project, his bid for the North Roseburg Section grading work can not be considered, which places the bid of Anderson Construction Company in the position of being the low bid received for this job. The Commission therefore has awarded the contract to the Anderson Construction Company at their bid price of \$23,932.40.

"Construction of a concrete bridge over Deer Creek and a concrete wall near the Junior High School, on the Pacific Highway in Roseburg, Douglas County. The low bid was that received from Mountain States Construction Company, Eugene, at \$35,133.00. The next low bid was that submitted by C. J. Montag & Son, Portland, at \$37,345.00. There were fifteen higher bidders. The Commission has awarded this contract to the low bidder, Mountain States Construction Company, at their bid price of \$35,133.00.

"Shady Point-Kelly Corner Section of the Pacific Highway, in Douglas County. 0.36 mile grading and 2.26 miles Portland cement concrete pavement. The low bid was that submitted by Jacobsen-Jensen Company, Portland, at \$59,882.00. The next low bid was that submitted by Mountain States Construction Company, Eugene, at \$63,023.50. There

were six higher bidders. The Commission has awarded this contract to the low bidder, Jacobsen-Jensen Company, at their bid price of \$59,882.00.

"Shedd-Halsey Section of the Pacific Highway, in Linn County. 7.34 miles grading and asphaltic concrete pavement. The low bid is that submitted by Warren-Northwest, Inc., Portland, at \$181,301.00. The next low bid was that submitted by Jacobsen-Jensen Company, Portland, at \$183,862.50. There were eleven higher bidders. The Commission referred all of these bids to the Engineer with power to award the contract to the low bidder, Warren Northwest, Inc., at their bid price of \$181,301.00, when certain conditions have been satisfied.

"Unit No. 3, Chichester Gulch-Summit Section of the Shaniko-Fossil Secondary Highway, in Wheeler County. 0.95 mile grading and 1000 cubic yards talus topping materials. The low bid was that submitted by Fisher Bros., Oregon City, at \$11,828.00. The next low bid was that submitted by McNutt Bros., Eugene, at \$12,415.00. There were nine higher bidders. The Commission has awarded this contract to the low bidder, Fisher Bros., at their bid price of \$11,828.00."

#### Sale of buildings in Roseburg:

"The high bid received for Building "A" was that submitted by H. O. Pargeter, Roseburg, at \$533.00. The Commission has accepted this offer and the building has been sold to Mr. Pargeter at his bid price of \$533.00.

"The high bid received for Building "B" was that submitted by Dolan Wrecking Company, Portland, at \$15.00. The Commission has accepted this offer and the building has been sold to the Dolan Wrecking Company at their bid price of \$15.00.

"The high bid received for Building "C" was that submitted by Dolan Wrecking Company, Portland, at \$5.00. The Commission has referred this bid to the Engineer with power to sell the building to the Dolan Wrecking Company for \$5.00 if investigation reveals that advisable.

"The high bid received for Building "D" was that submitted by F. S. Critser, Roseburg, at \$400.00. The Commission has referred this bid to the Engineer with power to sell the building to Mr. Critser for \$400.00 if investigation reveals that advisable.

"The high bid received for Building "E" was that submitted by Paul Hempel, Roseburg, at \$30.00. The Commission has accepted this offer and the building has been sold to Mr. Hempel at his bid price of \$30.00.

"The high bid received for Building "F" was that submitted by

Joseph L. LaFayette, Roseburg, at \$101.00. The Commission has accepted this offer and has sold the building to Mr. LaFayette at his bid price of \$101.00.

"The high bid received for Buildings "G" and "H" was that submitted by G. E. Foster, Roseburg, at \$730.00. The Commission has referred this bid to the Engineer and the Attorney for certain investigations and has authorized the Engineer to sell the buildings to Mr. Foster in the event the investigations reveal that to be advisable.

"The high bid received for Building "I" was that submitted by C. A. Harvey, Roseburg, at \$82.00. The Commission has accepted this offer and has sold the building to Mr. Harvey at his bid price of \$82.00..

"The high bid received for Building "J" was that submitted by H. Case, Roseburg, at \$62.00. The Commission has accepted this offer and the building has been sold to Mr. Case at his bid price of \$62.00.

"The high bid received for Building "K" was that submitted by Norman J. Hyde, Roseburg, at \$20.00. The Commission has accepted this offer and has sold the building to Mr. Hyde at his bid price of \$20.00.

"The high bid received for Building "L" was that submitted by Mary F. Matthews, Roseburg, at \$20.00. The Commission has referred this bid to the Engineer for investigation, with power to sell the building to Mary F. Matthews at her bid price of \$20.00 if he deems that advisable.

"The high bid received for Building "M" was that submitted by Edmund L. Dolan, Roseburg, at \$100.00. The Commission has referred this bid to the Engineer with power to sell the building to Mr. Dolan under certain conditions.

"The high bid received for Building "N" was that submitted by B. F. Chilson, Roseburg, at \$20.00. The Commission has accepted this offer and has sold the building to Mr. Chilson at his bid price of \$20.00.

"The high bid received for Building "O" was that submitted by George A. Hansen, Sutherlin, at \$55.00. The Commission has accepted this offer and has sold the building to Mr. Hansen at his bid price of \$55.00."

The County Court of Linn County, represented by County Judge J. J. Barrett, County Commissioners Harry W. Cooley and H. F. Warren, and County Engineer W. W. Larson, came before the Commission and asked for additional improvements on the Halsey-Sweet Home Secondary Highway at Brownsville, to provide a connection with the new bridge that they are constructing at this location as a P.W.A. project. Judge Barrett alleged that this is an important connecting road between the South Santiam Highway and the Pacific Highway.

Chairman Cabell advised that the improvement of secondary highways is dependent upon available funds and that the Commission is at a loss to know where the money is coming from to take care of all the improvements that have been requested. He further stated that the Commission has just received the rules and regulations which are to govern the expenditure of the new federal money but has not had time to study them yet so can give no answer today; however, the matter will be considered at the proper time. He further stated that it looks as though the Commission will have to have conferences with the several county courts to arrange a program for the secondary or feeder roads money. Commissioners Aldrich and Tou Velle concurred, whereupon the Engineer was instructed to arrange a schedule of such conferences for the Commission's attention at the next meeting.

The Linn County Court also asked for the improvement of the county road which extends north from Harrisburg to Corvallis, particularly the oiling of the same between Peoria and Harrisburg, the oiling of the Albany-Corvallis Secondary Highway, and for additional construction on the Santiam Highway.

The Commission made no commitment of funds for any of these projects but advised the County Court that they would be kept in mind.

There being no further delegations to be heard, the Commission resumed consideration of routine matters.

Reconsideration was given by the Commission to the matter of renting shovels or purchasing trucks in lieu thereof, for use in connection with the Wilson River and Wolf Creek Highway W.P.A. projects. After considerable discussion the Commission decided that it would be advisable and to the best interests of the state to purchase trucks rather than to pay out its money for the rental of power shovels. The Engineer was thereupon authorized to purchase ten light-weight trucks for this purpose and to turn them over to the W.P.A. on a rental basis of \$1.00 per hour.

The Commission considered and confirmed the appointment of Mr. C. B. McCullough as First Assistant State Highway Engineer. The Commission also confirmed the appointment of Mr. Glen S. Paxson as Bridge Engineer.

The Commission having under consideration for approval, adoption and execution the grant agreement covering the subject of a grant applied for by the State Highway Commission and allowed by the Government under the provisions of Chapter 9, Oregon Laws, Second Special Session, 1933, and Chapter 297, Oregon Laws, 1935, and the National Industrial Recovery Act for the construction of five coast bridges on the Oregon Coast Highway, and the Commission being fully advised with respect to all of the matters and things therein contained, Commissioner Aldrich offered and moved the adoption of the following resolution, which motion was seconded by Commissioner Tou Velle, and being by the Chairman submitted to vote, received the unanimous vote of all three commissioners and said motion was by the Chairman declared unanimously carried and said resolution thereby unanimously adopted, to wit:

WHEREAS, the State of Oregon, by and through its State Highway Commission, is, under the provisions of Chapter 9, Oregon Laws, Second

Special Session, 1933, authorized to construct or cause to be constructed five highway bridges on the Oregon Coast Highway over the following streams or bodies of water; namely, Yaquina Bay, Alsea Bay, Coos Bay, Siuslaw River and Umpqua River; and

WHEREAS, by authority of said act the Oregon State Highway Commission heretofore applied to the United States of America, under the provisions of the National Industrial Recovery Act, for a loan and grant of funds with which to construct the said bridges; and

WHEREAS, the said application was approved by the Federal Government, under the provisions of the National Industrial Recovery Act, and funds were allocated for the purpose herein specified; and

WHEREAS, in connection with the authorization of said loan and grant and the allocation of funds therefor, there was prepared by the Government and submitted to the Highway Commission for approval an agreement, which agreement was subsequently approved and executed by the Highway Commission and by the Government and thereafter became in full force and effect; and

WHEREAS, subsequent to the execution of said agreement the legislative assembly of the State of Oregon enacted Chapter 297, Oregon Laws, 1935, by the provisions of which the Highway Commission was authorized to operate said bridges free of tolls and was further authorized to repurchase from the Government the bridge revenue bonds sold to the Government pursuant to said loan and grant agreement, which bonds, with the approval of the Government, the Highway Commission did repurchase and pay the agreed price therefor; and

WHEREAS, thereafter the Highway Commission applied to the Government for a grant only of funds to aid in financing the construction of said bridges, which said application was allowed by the Government and funds were allocated for said purpose; and

WHEREAS, in connection with the authorization of said grant and the allocation of funds therefor there has been prepared by the Government and submitted to the Highway Commission for execution and agreement, which agreement is designated as the Second Amendatory Agreement and is in words and figures as follows:

SECOND AMENDATORY AGREEMENT, (Docket No. 982), dated as of \_\_\_\_\_, 1937, between the STATE HIGHWAY COMMISSION OF THE STATE OF OREGON (herein called the "Grantee") and the UNITED STATES OF AMERICA (herein called the "Government").

WHEREAS, the parties hereto entered into a Loan Agreement dated as of March 30, 1934 (herein called the "Loan Agreement"), as amended by an Amendatory Agreement dated as of June 26, 1934 (herein called the "First Amendatory Agreement") by which the Grantee agreed to sell and the Government agreed to purchase Four Million Two Hundred

Thousand Dollars (\$4,200,000) aggregate principal amount of bonds of the State of Oregon and the Government agreed to make a grant to the Grantee of not to exceed 30 per centum of the cost of labor and materials employed on the Project described in said Loan Agreement (herein and therein called the "Project"); and

WHEREAS, THE Government has purchased \$2,000,000 aggregate principal amount of said bonds, and said \$2,000,000 of bonds have been repurchased by the Grantee; and

WHEREAS, the Grantee has furnished \$2,200,000 and applied the same to the construction of the Project described in said Loan Agreement, as amended, by reason of which it has become unnecessary for the Government to purchase and the Grantee to sell the remaining \$2,200,000 of bonds described in said Loan Agreement, as amended, other than the bonds in the aggregate principal amount of \$2,000,000 heretofore purchased by the Government; and

WHEREAS, the Grantee has requested and the Government has approved an additional allotment by way of Grant to aid in financing the construction of the Project;

NOW, THEREFORE THIS AGREEMENT WITNESSETH, that in the consideration of the premises and of the covenants herein contained the parties hereto agree as follows:

I. That the Loan Agreement, as amended by the First Amendatory Agreement, be and it is hereby further amended in the following particulars:

By striking out all of PART ONE, PART TWO and PART FOUR of the Loan Agreement, as amended by the First Amendatory Agreement, and inserting in lieu thereof the following:

"1. Purpose of Agreement. Subject to the terms and conditions of this Agreement (herein called the "Agreement") the United States of America (herein called the "Government") will, by grant, aid the State Highway Commission of the State of Oregon (herein called the "Grantee") in financing a project (herein called the "Project") consisting of the construction on the Oregon Coast Highway of a bridge across Alsea Bay, bridges across Coos Bay and Yaquina Bay, and bridges across Siuslaw River and Umpqua River, all pursuant to the Grantee's application (herein called the "Application"), P.W.A. Docket No. 982 (into which have been incorporated P.W.A. Docket Nos. 1810 and 2187), Title II of the National Industrial Recovery Act (herein called the "Act") and the Constitution and Statutes of the State of Oregon (herein called the "State").

"2. Amount of Grant. The Government will make and the Grantee will accept a grant (herein called the "Grant") in an amount equal to 30 per centum of the cost of the labor and materials employed

upon the Project. In no event shall the Grant be in excess of \$1,600,000. The determination by the Federal Emergency Administrator of Public Works (herein called the "Administrator") of the cost of the labor and materials employed upon the Project shall be conclusive.

3. Grant Requisitions. From time to time after the execution of this Agreement, the Grantee may file a requisition with the Government requesting the Government to make a payment on account of the Grant. Each requisition shall be accompanied by such documents as may be requested by the Administrator (a requisition together with such documents being herein collectively called a "Requisition").

4. Grant Payment. If a requisition requesting the Government to make a payment on account of the Grant is satisfactory in form and substance to the Administrator, the Government will pay to the Grantee at such place or places as the Administrator may designate, against delivery by the Grantee of its receipt therefor, a sum of money equal to the difference between the aggregate amount previously paid on account of the Grant, and

- (a) 25 per centum of the cost of the labor and materials shown in the Requisition to have been employed upon the Project if the Requisition shows that the Project has not been completed, or
- (b) 30 per centum of the cost of such labor and materials if the Requisition shows that the Project has been completed and that all costs incurred in connection therewith have been determined.

"5. Grant Advances. At any time after the execution of this Agreement the Government may, upon request of the Grantee, if in the judgment of the Administrator the circumstances so warrant, make advances to the Grantee on account of the Grant, but such advances shall not be in excess of 30 per centum of the cost of the labor and materials to be employed upon the Project, as estimated by the Administrator.

"6. Deposit of Grant; Construction Accounts. The Grantee shall deposit the Grant promptly upon receipt thereof, and all funds which will be required in addition to the Grant to complete the project, in a separate account or accounts (each of such separate accounts herein called a "Construction Account"), in a bank or banks which are members of the Federal Reserve System and of the Federal Deposit Insurance Corporation and which shall be satisfactory at all times to the Administrator.

"7. Disbursement of Monies in Construction Accounts. The Grantee shall expend the monies in a Construction Account only for

such purposes as shall have been previously specified in Requisitions filed with the Government and as shall have been approved by the Administrator. Any monies remaining unexpended in any Construction Account after the completion of the Project shall be used to meet obligations (including bonds or other indebtedness) incurred in connection with the construction of the Project. When there are no longer any such obligations outstanding the Grantee may use such monies for any other purpose.

"8. Construction of Project. As soon as practicable after the execution of the Agreement, the Grantee (unless it has already done so) shall commence or cause to be commenced the construction of the Project, and the Grantee shall thereafter continue such construction or cause it to be continued to completion with all practicable dispatch, in an efficient and economical manner, at a reasonable cost and in accordance with the provisions of this Agreement, plans, drawings, specifications and construction contracts which shall be satisfactory to the Administrator, and under such engineering supervision and inspection as the Administrator may require. Except with the written consent of the Administrator, no materials or equipment for the Project shall be purchased by the Grantee subject to any chattel mortgage, or any conditional sale or title retention agreement.

"9. Completion of Proceedings. As soon as practicable after the execution of this Agreement, the Grantee (unless it has already done so) shall obtain or will take proceedings appropriate to obtain funds, which, together with the Grant, will be sufficient to pay all costs of constructing the Project.

"10. Information. During the construction of the Project the Grantee shall furnish to the Government all such information and data as the Administrator may request as to the construction, cost and progress of the work.

"11. Representations and Warranties. The Grantee represents and warrants as follows:

- (a) Litigation. No litigation or other proceedings are now pending or threatened which might adversely affect the construction and operation of the Project, or the financial condition of the Grantee;
- (b) Financial Condition. The character of the assets and the financial condition of the Grantee are as favorable as at the date of the Grantee's most recent financial statement, furnished to the Government as a part of the Application, and there have been no changes in the character of its assets or in its financial condition except such changes as are necessary and incidental to the ordinary and usual conduct of the Grantee's affairs;

- (c) Fees and Commissions. It has not paid and does not intend to pay any bonus, fee or commission in order to secure the Grant hereunder;
- (d) Affirmation. Every statement contained in this agreement, in the application, and in any supplement thereto or amendment thereof, and in any other document submitted to the Government is correct and complete, and no relevant fact materially affecting the Grant or the Project, or any of the duties or obligations of the Grantee under this Agreement has been omitted therefrom.

"12. Expenses. The Government shall be under no obligation to pay any costs, charges or expenses incident to compliance with any of the duties or obligations of the Grantee under this Agreement including, without limiting the generality of the foregoing, any legal, engineering or accounting costs, charges or expenses incurred by the Grantee.

"13. Waiver. Any provision of this Agreement may be waived or amended with the consent of the Grantee and the written approval of the Administrator, without the execution of a new or supplemental agreement.

"14. Interest of Member of Congress. No Member of or Delegate to the Congress of the United States of America shall be admitted to any share or part of this Agreement, or to any benefit to arise thereupon.

"15. Naming of Project. The Grantee will not name the Project for any living person.

"16. Undue Delay by the Grantee. If in the opinion of the Administrator, which shall be conclusive, the Grantee shall delay for an unreasonable time in carrying out any of the duties or obligations to be performed by it under the terms of this Agreement, the Administrator may cancel this Agreement.

"17. Conditions Precedent to the Government's Obligations. The Government shall be under no obligation to make any part of the Grant:

- (a) Financial Condition and Budget. If, in the judgment of the Administrator, the financial condition of the Grantee shall have changed unfavorably in a material degree from its condition as theretofore represented to the Government, or the Grantee shall have failed to balance its budget satisfactorily or shall have failed to take action reasonably designed to bring the ordinary current expenditures of the Grantee within the prudently estimated revenues thereof;

(b) Cost of Project. If the Administrator shall not be satisfied that the Grantee will be able to complete the project for the sum of \$5,467,000, or that the Grantee will be able to obtain, in a manner satisfactory to the Administrator, any additional funds which the Administrator shall estimate to be necessary to complete the Project;

(c) Compliance. If the Administrator shall not be satisfied that the Grantee has complied with all the provisions contained in this Agreement theretofore to be complied with by the Grantee;

(d) Legal Matters. If the Administrator shall not be satisfied as to all legal matters and proceedings affecting the Grant or the Project;

(e) Representations. If any representation made by the Grantee in this Agreement or in the Application or in any supplement thereto or amendment thereof, or in any document submitted to the Government by the Grantee shall be found by the Administrator to be incorrect or incomplete in any material respect."

II. Except as hereinabove provided all the terms and conditions of the Loan Agreement, as amended by the First Amendatory Agreement, shall remain in full force and effect.

III. Other Financial Aid from the Government. If the Grantee shall receive any funds directly or indirectly from the Government or any agency or instrumentality thereof, other than the Grant, and the proceeds of the sale of such of the bonds described in the Loan Agreement, as amended, as have heretofore been purchased by the Government, to aid in financing the construction of the Project, to the extent that such funds are so received the Grant shall be reduced.

IV. Interest of Member of Congress. No Member of or Delegate to the Congress of the United States of America shall be admitted to any share or part of this Second Amendatory Agreement, or to any benefit to arise thereupon.

V. This Second Amendatory Agreement shall be binding upon the parties hereto when a copy thereof, duly executed by the Grantee and the Government, shall have been received by the Grantee. This Second Amendatory Agreement shall be governed by and be construed in accordance with the laws of the State of Oregon. If any provision thereof shall be invalid in whole or in part, to the extent it is not invalid it shall be valid and effective and no such invalidity shall affect, in whole or in part, the validity and effectiveness of any other provision of this Second Amendatory Agreement or the rights or obligations of the parties hereto, provided, however, that in the opinion

of the Federal Emergency Administrator of Public Works, the said agreement does not then violate the terms of Title II of the National Industrial Recovery Act.

IN WITNESS WHEREOF, the Grantee and the Government have respectively caused this Second Amendatory Agreement to be duly executed as of the day and year first above written.

STATE HIGHWAY COMMISSION OF THE STATE OF OREGON

By Snob He signed  
As Chairman

SEAL:

By Snob He signed  
As Commissioner

ATTEST:

By Snob He signed  
As Commissioner

Secretary

UNITED STATES OF AMERICA  
Federal Emergency Administrator of Public Works

By \_\_\_\_\_  
Assistant Administrator

AND WHEREAS, the Commission having duly considered the foregoing Secondary Amendatory Agreement and all matters therein contained, and being fully advised with respect thereto, it is the judgment and decision of this Commission that said agreement should be adopted and duly executed;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission, all members being present and affirmatively participating and voting, as follows:

1. That the said foregoing Second Amendatory Agreement, and the whole thereof, as the same is reproduced hereinabove be and said agreement hereby is approved and adopted, and it hereby is authorized that said agreement be executed in quadruplicate for and on behalf of the Oregon State Highway Commission by each Commissioner subscribing his name thereto in his official capacity as a member of the Oregon State Highway Commission.

2. That J. M. Devers, as Attorney for the Commission be and he hereby is authorized, empowered, and directed to deliver to the Administrator of Public Works the said four executed copies of said agreement for execution by the Administrator, and thereafter file in the records of the Commission a duly and fully executed copy of the same.

3. That this resolution, and the whole thereof, including the copy of said Second Amendatory Agreement, be recorded in the minutes of the Commission and a certified copy of the same delivered to the Administrator of Public Works.

4. That J. M. Devers, as Attorney for the Commission, be and he hereby is authorized and directed to prepare such other resolutions, papers, and/or documents as may be required to fully and completely consummate the said transaction with the Federal Government covering and concerning said grant.

The Commission considered and signed the following agreements, et cetera:

Agreement with Northwest Roads Company covering final adjustment on its contract for the construction of Units A, C, and D of the Coos Bay Bridge structure.

Agreement with H. M. Counts, Charleston, Oregon, covering the sale of burned timber in state park property in Coos County.

Agreement with the O.W.R. & N. Company and the Union Pacific Railroad Company covering the renewal of a storage site lease at Alicel.

Agreement with the West Coast Power Company relative to the installation of a drainage pipe across the company's property between John Day and Canyon City, in Grant County.

Agreement with Contractor Tom Lillebo providing for an adjustment in payments due him for constructing the piers to the Eagle Creek Bridge on the Columbia River Highway near Bonneville, Contract No. 1740.

Agreement with C. J. Montag & Sons covering adjustment on piling furnished in connection with their contract for the construction of the Klamath River Bridge in Klamath County, Contract No. 1750.

Agreement with the City of Oregon City covering the matter of repairs and renewal of certain sewers within the limits of the Oregon City Undercrossing Project.

Agreement with Port of Newport by which the State Highway Commission relinquishes to the Port of Newport, and the Port of Newport accepts the ferry landing and facilities on the old Oregon Coast Highway route at South Beach.

Agreement with the City Motor Trucking Company covering the subject of right of way on the Lower Columbia River Highway through the company's property at Rocky Point, between Portland and Scappoose.

Agreement with Lydia Gerber Meier and John Meier, wife and husband, and C. E. Walker and Mary E. Walker, husband and wife, with reference to compensation to be paid and approach roads to be constructed in connection with acquisition of right of way needed for the Wolf Creek Highway between Canyon Road and Barnes Road, in Washington County.

Agreement with W. H. Casebeer relative to the moving of fences and compensation for damages to property on the Dairy-Bonanza Section of the Dairy-Bonanza Highway, in Klamath County.

Agreement with Weyerhaeuser Timber Company extending lease of stock pile site No. 200 located in Section 31, T. 39 S., R. 5 E., W. M., Klamath County.

Agreement with Weyerhaeuser Timber Company extending stock pile lease No. 201 covering a tract of land containing 0.17 acre of land, in Klamath County.

Agreement with Weyerhaeuser Timber Company extending stock pile site lease No. 202, containing 0.39 acre, in Jackson County.

Quitclaim deed conveying unto Lowell Williamson and C.L. Berry certain property at East Pennsylvania Avenue and North Pine Street, in the city of La Grande.

Quitclaim deed conveying unto Northwest Cities Gas Company a portion of Railroad Street between Thompson and College Streets, in Pendleton.

Exchange deed conveying unto Southern Pacific Company 0.203 acre situate in Section 1, T. 3 S., R. 1 E., W. M., Clackamas County, in accordance with agreement dated December 14, 1936.

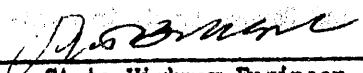
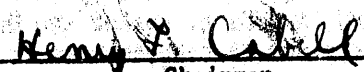
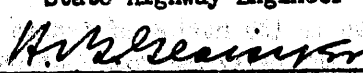


Bargain and sale deed conveying unto Dr. Fred. F. Thompson 0.13 acre situate in SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 33, T. 2 N., R. 13 E., W. M., Wasco County.

Agreement with Southern Pacific Railroad Company relative to right of way needed for the East Portland-Oregon City Highway between Seventeenth Street and Union Avenue, in Portland.

Second Amendatory Agreement between the State Highway Commission and the United States Government under Docket No. 982, relating to the construction of five coast highway bridges.

Consideration of the remaining matters on the agenda was deferred until the following day for discussion enroute to Marshfield.

The meeting was adjourned at 6:00 o'clock p. m.

	
State Highway Engineer	Chairman
	
Secretary	Commissioner
	
	Commissioner

Enroute to Marshfield, February 19, 1937.

The State Highway Commission disposed of routine matters enroute to Marshfield over the Oregon Coast Highway by automobile, all members being present and participating. Also present were the State Highway Engineer, the Attorney and the Secretary.

The Engineer requested authority to spend approximately \$35,000 of state funds to finance the extension of the state-wide planning survey to include streets in cities and towns. After a discussion the Commission approved the request by unanimous vote.

The Commission had under consideration the adoption of programs for federal funds that are available for the fiscal year 1938, in the following amounts: Regular Federal Aid, \$2,092,368.00; Secondary or Feeder Roads, \$418,474.00; Railroad Grade Separations, \$1,176,754.00 (includes funds provided for fiscal year 1939); Federal Lands Highways, \$168,367.00.

After discussion, the Commission by unanimous vote tentatively allocated the funds to the respective divisions of the state, using the same basis of allocation that was used in distributing the fiscal year 1937 funds to such divisions.

The Engineer then submitted a list of eligible projects for each class of funds available. These were studied very carefully by the Commission and a tentative selection of projects was made for each class. The Engineer was authorized to discuss the selected projects with the District Engineer of the Bureau of Public Roads and to report the results thereof to the Commission at its first meeting thereafter for final consideration and adoption of the program.

The Commission considered a letter from the Pacific Telephone and Telegraph Company requesting details in regard to the Commission's plans to construct a new highway up the Columbia River Gorge between Troutdale and Bonneville, and information as to when the Commission proposes to construct such road. The Engineer read aloud his letter in reply to this communication, which was approved by the Commission and ordered sent to the company. (See letter, dated February 23, 1937.)

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The Commission considered and denied a claim of C.G. Brownell, Portland, for gravel which he alleges was taken by the State Highway Department from property owned by him in Umatilla County.

The Commission by unanimous vote approved the purchase of the following equipment requested by the Engineer:

10 light-weight automobiles of the Ford type, involving a total cash outlay of \$6,500; 10 old cars to be turned in as part purchase price thereon.

21 light-weight trucks, involving a total cash outlay of \$16,800; some old worn-out trucks to be turned in as part purchase price thereon.

3 gasoline motor-driven sieve-shakers at a cost of \$55 each.

2 line-boring machines for use in the Highway Department shops at La Grande and Klamath Falls; estimated cost \$300 each.

1 freezing unit for use in the Highway Department's testing laboratories in Salem, in connection with the testing of road oils and coating for metal pipes; estimated cost \$240.

15 mowing machines to be used in maintenance work; estimated cost \$110 each.

15 asphalt kettles at \$600 each, to be used in connection with oiling work.

5 heavy-duty trucks equipped with "V"-type wing streamline snowplows of 5-ton capacity, powered with not less than 125 h.p. motors, one truck and plow to be stationed at each division headquarters; estimated cost \$8000 each, total \$40,000.

5 Snogos at an estimated cost of \$15,000 each, total \$75,000; one Snogo to be stationed at Klamath Falls, one at Bend, one at The Dalles, one at Pendleton and one at the Highway Department's shops in Salem for emergency use.

25 push snowplows at a total estimated cost of \$3000.

The Commission also authorized an expenditure of approximately \$5000 for the reconditioning and modernizing of all the push-type snowplows now owned by the Highway Department and in operation on heavy-duty trucks, and equipping them with modern-type moldboards and hydraulic controls.

The Commission considered and approved, for construction next spring with state forces, the following federal landscaping projects:

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Project	Highway	Estimated Cost
Ross Island Bridge	East Portland-Oregon City	\$ 2,500
Bolon Island	Oregon Coast Highway	1,500
Eugene-Junction City	Pacific Highway	1,500
Bear Creek Island	Pacific Highway	4,000
Birdseye Springs near Rogue River	Pacific Highway	1,500
Condon Section	John Day Highway	6,000
Alkali Lake	Burns-Lakeview Highway	8,000
Yaquina Bay Bridge Plaza	Oregon Coast Highway	3,000
Waldport Bridge Plaza	Oregon Coast Highway	750
Florence Bridge Plaza	Oregon Coast Highway	1,500
Coos Bay Bridge Plaza	Oregon Coast Highway	2,250
Total - -		\$32,500

The Commission by unanimous vote approved the Engineer's request for authority to advertise for bids for the following rock production projects:

Furnish 11,400 cubic yards of maintenance materials for the Powers Road-Mystic Creek Section of the Coos Bay-Roseburg Highway in Coos County; estimated cost \$26,900;

Furnish 11,500 cubic yards of maintenance materials for the Columbia River Highway between mile post 78.4 and mile post 100.0, and between mile post 120.0 and mile post 126.36; estimated cost \$30,000.

The Commission by unanimous vote confirmed an expenditure of approximately \$2,200 of state highway funds for improving the lighting facilities in the Highway Department offices in Salem.

The Commission considered and adopted by unanimous vote the following resolution authorizing R. H. Baldock, State Highway Engineer, to prepare and sign the necessary applications for purchase of alcohol free of tax for use in the State Highway Department laboratories in Salem:

WHEREAS, there is required for and in connection with the conduct of a laboratory maintained by the State Highway Department for the testing of roadbuilding materials an undetermined quantity of alcohol; and

WHEREAS, the specific use made of such alcohol is for general analytical and research work with respect to road materials and the chemical analysis of paints, varnishes, etc.; and

WHEREAS, it is deemed advisable that the Highway Department apply for and procure a withdrawal permit so as to authorize the Department to purchase alcohol for Department needs;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission, all members being present and affirmatively voting, as follows:

1. That R. H. Baldock, State Highway Engineer, be and he hereby is authorized and directed to prepare and sign the necessary application for a withdrawal of alcohol free of tax for the use of the State Highway Department of the State of Oregon, and the said R. H. Baldock is further authorized to sign any and all papers and furnish such data or information as may be required in connection with the procurement of said withdrawal permit.

2. That all alcohol purchased pursuant to the authority of said permit be used for general analytical and research work and for the chemical analysis of paints, varnishes and other materials used for and in connection with highway construction and maintenance.

3. That all alcohol purchased pursuant to said permit be safely kept in a locker prepared for such purpose under the workbench in the laboratory and that such locker be equipped with hasp and padlock and placed under the direct supervision and responsibility of N. M. Finkbinder, who is in direct charge of the said laboratory.

4. That this resolution be entered in the official minutes and records of the Commission, and the Secretary be instructed to prepare and deliver to R. H. Baldock a duly certified copy of said resolution, which the said R. H. Baldock is instructed to attach to and make a part of the application for said permit.

The Commission had under consideration a letter from H. M. Stevenson, Mayor of the town of Harrisburg, inquiring as to the plans of the Highway Commission for the improvement or rerouting of the Pacific Highway through the town of Harrisburg. The Engineer advised that it is tentatively planned to reroute this highway northerly from the Willamette River Bridge so as to ease off the curve on the present route, which will involve reconstructing the highway closer to the railroad. He also said that, if the route is changed, it will be necessary to hold a public hearing in Harrisburg, as required by statute, before adopting the new route, in order to give the people an opportunity to express themselves in regard thereto. The Commission decided to make a personal inspection of the project before making any statements concerning it. The Secretary was instructed to so inform Mr. Stevenson.

The Commission had under consideration a request from Mr. James A. Slover, Mayor of Grants Pass, for the rerouting of heavy-duty truck-traffic on the Pacific Highway through the city via Seventh Street, which is one block east of the Pacific Highway (Sixth Street) between A Street and M Street. The Attorney advised that in his opinion the State Highway Commission has authority to select the particular streets over which to route any particular kind of traffic and that upon request from the city authorities the Commission could grant to the city authority to route state highway traffic over other streets than those named or designated by the Highway Commission as the state highway route; however, if the Commission should route such traffic over other streets, then it would be responsible for maintenance of those

streets. On the other hand, if the change in routing is made by the city, then the Commission would not be responsible for the maintenance of the streets. It was his thought that, if the request for the change comes from the city and is granted by the Commission, the Commission, in authorizing the change, should impose the condition that the state shall not be responsible for the maintenance of the streets over which the heavy traffic now under consideration is routed. The Commission approved the Attorney's report on this subject and instructed him to convey this information to the Mayor of Grants Pass.

The Commission considered and approved, upon recommendation of the Engineer, the request of C. I. Nelson, Salem, representative of the National Youth Administration, for permission to erect and maintain upon the right of way of the Pacific Highway, about four miles south of Salem, a shelter shed for the use and convenience of school children who are obliged to take the school bus at this location. It was the Commission's understanding that this location is on the old Pacific Highway, which may be abandoned as a state highway route upon completion of the new highway between Salem and Illahe School. The Commission wishes it understood that the granting of this request is not to be considered as a precedent in the permitting of buildings or other obstructions on state highway rights of way but is simply being granted in this instance because it is considered a special public benefit. In the event that it develops later that the building interferes with highway maintenance or its presence on the highway proves undesirable, then it is to be removed.

The Secretary reported receipt of a check in the amount of \$2000 from Douglas County Court and another check in the amount of \$3000 from the North Umpqua-Diamond Lake Improvement District, representing advance payments for the county's and the district's shares of the cost of a location survey of the North Umpqua-Diamond Lake Highway from Roseburg to Rock Creek, as per previous agreement with the Commission. The Commission accepted the checks as part payment of the agreed shares of the county and the district, the balance to be paid when the survey is completed. The Engineer was then authorized by the Commission to proceed with the survey.

The Engineer reported that in accordance with authority previously granted him by the Commission he awarded on January 14 the contract for the construction of the Rex Hill-Newberg Section of the West Side Pacific Highway in Yamhill County to the Mountain States Construction Company, which submitted the low bid therefor at \$83,445.00, based on the use of road oil, on December 17, 1936. The Commission by unanimous vote approved the award of this contract as reported by the Engineer.

The Commission considered and ordered filed a statement from the Bureau of Public Roads showing a sliding scale of rates of federal aid participation in public land states, as provided in Section 11 of the Federal Highway Act effective February 1937. This statement shows the following: ratio of area of unappropriated land plus nontaxable Indian land to the total area of the State of Oregon is .2252, and the percentage of cost of federal aid projects payable by the Federal Government is 61.26.

The Commission had under consideration the matter of establishment of minimum wage rates to be paid labor in connection with 1938 federal aid projects. The Commission by unanimous vote decided to continue the wage scales that are now in effect, which are as follows:

Skilled labor	\$1.20 per hour
Intermediate grade labor	.75 " "
Unskilled labor	.50 " "
Maximum deduction for board	1.00 per day

A letter was presented from W. H. Lynch, District Engineer, Bureau of Public Roads, requesting an opinion regarding the authority of the State Highway Commission for handling secondary or feeder road projects under Section 7 of the Act of June 16, 1936, and inquiring whether or not the Commission has suitable and adequate provision to maintain such projects; also, whether or not the Commission has adequate authority for the construction and maintenance of projects within municipalities. The Attorney advised that there is ample statutory authority to which the Highway Commission may point for justification and approval of any highway construction and/or maintenance involving secondary state highways within or without the corporate limits of cities and towns. He was instructed by the Commission to send to Mr. Lynch a copy of his written opinion on the subject.

The Commission considered and approved the granting of a permit to Mr. James W. Jeffries, Portland, to transport piling on a truck and trailer, the overall length of load and vehicle being 125 feet, over the Nehalem Secondary Highway from Banks to the Mountain Dale county road, in Washington County, and across the Lower Columbia River Highway at Burlington, in Multnomah County. This permit was authorized subject to the condition that it would not be necessary for Mr. Jeffries to use more than one-half the traveled roadway at any point where the operations are on the state highway except at the crossing of the Columbia River Highway; and that he will maintain flagmen on the Columbia River Highway during the movement of logs across the same, and at other points where it is deemed necessary, for the safety of the general traveling public.

The Engineer brought up the matter of penalizing operators who have been arrested for overloading their trucks in log hauling service. He advised that numerous operators have been arrested by the State Police and many of them have been found guilty of transporting loads in excess of 1500 pounds tolerance heretofore authorized by the Commission; also, that in accordance with previous instructions from the Commission, recommendations have been forwarded to the Public Utilities Commissioner to suspend the operations of the equipment involved in such overloads for a period of 10 days for a first violation, 20 days for a second violation, and 30 days for a third violation; but apparently the recommendations have been disregarded, because, in so far as can be ascertained, no hearings have been held by the Public Utilities Commissioner for six months or more in connection therewith and none of the operators have been suspended. He inquired as to what action he should take in the matter. The Commission instructed the Engineer to talk the matter over with the Public Utilities Commissioner and request his cooperation to the end that overloading of trucks in this class of service will be reduced to a minimum.

The Engineer reported that on account of numerous complaints regarding the condition of the Coast Fork of the Willamette River Bridge at mile post 2.8 on the Willamette Highway, in Lane County, the Commission gave him oral authority to reinforce this bridge structure so as to permit legal weight loads to be transported thereover. Also, that in accordance with such instructions reinforcements are now being made and will be completed within the next few weeks. He asked the Commission to confirm the oral authority given him to fix this bridge and to authorize the lifting of the reduced load limit when the repairs are completed. The Commission by unanimous vote approved the expense for repairs and reinforcements and authorized the Engineer to post this bridge for a new safe limit when the bridge work is done.

The Commission discussed a letter from B. E. Stoutmeyer, District Counsel, United States Bureau of Reclamation, regarding a certain flume crossing over The Dalles-California Highway about 8.63 miles southeast of Klamath Falls. It appears that there is an impaired clearance at this crossing that presents a hazard to the general traveling public and that something should be done to eliminate this condition. It also appears that there is some question and difference of opinion as to who should pay the cost of reconstructing the flume, inasmuch as it is alleged by officers of the district that the structure was built in accordance with plans approved by representatives of the State Highway Commission and was paid for by the water users. The Commission referred this matter to the Attorney for additional information and report at the next meeting.

The Attorney reported that the case of Hurt versus the Highway Commission is a case pending in Federal Court and in which case it is alleged that the Highway Commission has been and is violating the plaintiff's patent rights. The Highway Commission's defense, he said, is that, in the first place, the patent is not valid; in the second place, the article made and used by the Commission is not an infringement of the article claimed to be patented; and, in the third place, if the patent is valid, the Commission has a right to the use of the same under the employer's shop right. The facts seem to be that Mr. Hurt at one time was an employe of the State Highway Commission and, while in the employ of the Commission, worked out and patented a type of rock-spreader; and it also seems to be a fact that there was some ground for Mr. Hurt going under the assumption that he might develop the invention and patent it even on state time. The engineers allege, however, that such arrangement was with the understanding that the state would have the right to use the invention without payment of royalties, a right which the state would have if the invention were developed by the inventor while in the employ of the state. The Attorney reported that the case can be settled by the patentee giving to the state the license to use the invention during the life of the patent and without payment of any royalty, and the pending case will then be dismissed. He recommended the settlement of the case on such basis. After discussion the Commission approved the recommendation and basis of settlement and authorized the Attorney to procure and accept a proper license.

The Commission approved an agreement with F. G. Brown, Crystal, Oregon, covering the matter of snow removal on Klamath Lake Secondary Highway

between Crystal School House and the boundary of the Rogue River National Forest, in Klamath County, and the consideration in said agreement, which provides maximum payment to Mr. Brown of the sum of \$360, based on fifteen trips with his equipment at the rate of \$20 per trip, plus a fixed sum of \$60, which represents the cost of public liability insurance covering his equipment, that the Commission required him to secure.

The Commission had under consideration a report from the Attorney in regard to action of certain officials of the Shell Oil Company relative to the rearrangement of a certain privately-owned service station in the town of Shedd. It appears that the rearrangement of the service station is required in order to fit the proposed improvement of the Pacific Highway at this place and that certain officials of the Shell Oil Company told the owner of the station that he could place his gasoline pumps anywhere he pleased outside of the highway right of way, regardless of the wishes of the State Highway Commission, because the Commission has no power or authority beyond the right of way limits; which advice is causing confusion in the right of way negotiations. During the discussion of this matter the Commission reaffirmed its policy requiring service stations to be placed a sufficient distance away from the edge of the right of way so that automobiles can be serviced without parking on the highway right of way. The Engineer was instructed to write a letter to the Shell Oil Company and explain the Commission's desires in this regard and ask the company's cooperation to the end that the hazards created by the parking of cars on the highway right of way may be eliminated.

Reconsideration was given by the Commission to the matter of designating certain secondary state highways in Klamath County, as has been requested by the Klamath County Court. The Secretary reported receipt of information from the legal department that right of way for all of these roads is free and clear of encumbrances and buildings except that the Klamath County Court has not yet arranged for the removal of a service station located at the intersection of the Diamond Lake Road and The Dalles-California Highway. He was instructed by the Commission to inform the County Court that the Commission is ready and willing to carry out its agreement to designate these roads as secondary highways as soon as the County Court can furnish unencumbered right of way, but does not feel disposed to do anything further in the matter until the right of way matter has been satisfactorily disposed of, including the removal of the service station at the above-mentioned intersection.

The Commission considered and referred to the Director of the Travel and Information Department a request from Miss Kathryn Gunnell, Salem, for an opportunity to exhibit her motion pictures of Oregon scenes, which she thinks could be used to advantage by the State Highway Department in publicizing the State of Oregon.

The Commission reconsidered the matter of acquiring for state park purposes certain property located on Savage Creek, in Jackson County, which property is owned by the State Board of Control and on which property there have been constructed some buildings financed with W.P.A. funds. The Parks Engineer advised that the property does not fit in with his ideas as a state park and recommended that it be not purchased. The Commission approved the

recommendation and instructed the Parks Engineer to bring the matter to the attention of the Medford Post of the American Legion, which might wish to acquire the property for its uses. He was also instructed to inform Mr. Elmer Goudy, State Relief Administrator, of the action taken.

The Parks Engineer brought up for discussion matters pertaining to the right of way for a proposed road from the Wolf Creek Highway to Saddle Mountain, in Clatsop County, through the timber holdings of the Grand Rapids and the Crown Willamette Paper Company. He particularly referred to a letter from the Crown Willamette Paper Company in which it is alleged that the scenic value of Saddle Mountain Park was permanently destroyed by a forest fire last fall, and in their estimation is not now, nor ever will be, very attractive for park purposes. Also, in which the suggestion is made that the Highway Commission abandon its plans for the development of this park, inasmuch as they disapprove of the road through their holdings because of the fire hazard that would result therefrom. The Parks Engineer refuted the statements of the Crown Willamette Paper Company and advised that the National Park Service is spending a lot of money to develop this park and should be encouraged in the undertaking because, when the improvements are completed, the park will be one of the outstanding recreational areas in the state. He again pointed out that the park now has no entrance from the Wolf Creek Highway and gave as his thought that one should be provided because, under present conditions, it is necessary to take a roundabout way over the Nehalem Highway and over a poor county road about eleven miles long to get into the park area. After discussion the Commission instructed the Parks Engineer to make further investigations and ascertain whether or not it would be possible to secure right of way for a road that would not pass over the property of the Crown Willamette Paper company, and report his findings at the next meeting of the Commission, when a decision will be reached.

The Commission considered a letter from Earl C. Reynolds, Executive Secretary, Klamath County Chamber of Commerce, in regard to the exchange of timber along The Dalles-California Highway north of Fort Klamath Junction and south of the summit of Sun Mountain. Mr. Reynolds suggests that, if the State Highway Commission intends to abandon the present highway between these points when the highway has been reconstructed east of Sun Mountain, the Klamath County Chamber of Commerce will cease its efforts to retain the timber along the present route; but, if the Commission intends to maintain this section of the present road after the other is completed, then they will exert their best efforts to secure an exchange of timber with the U. S. Forest Service so as to preserve the scenic value along the present road.

The Engineer gave as his thought that it would be advisable to secure at least a few miles of this timber even though ultimately the road will be maintained as a secondary highway, provided, of course, the timber can be acquired by exchange through the U. S. Forest Service. After discussion the Commission referred this matter to the Parks Engineer to work out a solution, if possible, with the U. S. Regional Forester, Mr. C. J. Buck.

Reconsideration was given by the Commission to the matter of the purchase of the James Churchill estate timber land adjacent to the Salmon

River Highway and the offer of the owners to sell the land only at the rate of \$8.00 per acre, with the understanding that the timber would go with the land if it is not cut within twenty-five years. The Parks Engineer gave as his thought that \$8.00 an acre is too much to pay for the land, especially as a start on his program of acquiring logged-off areas adjacent to highways. The Commission concurred and instructed him to so inform Mr. Churchill.

The Commission discussed the advisability of conveying unto the city of North Bend the old ferry landing site on the south side of Coos Bay, which is no longer needed by the state since the completion of the Coos Bay Bridge. The Parks Engineer advised that this area is not essential and is not needed in connection with the state park development at this location; whereupon the State Highway Engineer recommended that the site be deeded to the city of North Bend in accordance with the city's request, subject to the condition and reservation that the city of North Bend shall perpetually maintain and operate the site as a landing place for small water-craft, free and open at all times to the general public, and that the city shall have no power to alienate the same or to devote the same to private or commercial purposes. The Commission approved the Engineer's recommendation by unanimous vote and so ordered.

The Commission also reconsidered the abandonment of the old ferry slip and approach road thereto at South Beach on the south side of Yaquina Bay. After discussion the Commission decided unanimously to close the road at the south end of the sand spit and to construct a gate across the road at this point, the gate to be locked with a padlock, and one key to be given to the City of Newport so that the city can have access to the ferry slip from the highway whenever it wishes. The Commission also decided to abandon that portion of the road on the sand spit and to deed it to the city of Newport if the city wants it, and will assume all responsibility and liability for injury to persons and damage to property that might result from the use of the road by the general public. The Attorney was instructed to convey this information to the Newport City Council and to make it clear to the Council that, if the city takes over this road it must do so at its own risk.

The Parks Engineer requested authority to install telephones in the following state parks: Battle Mountain State Park, in southern Umatilla County; Ecola State Park, in Clatsop County; Talbot State Park, near Bridal Veil, on the Upper Columbia River Highway, in Multnomah County; and Humbug Mountain State Park, in Curry County. He estimated that the cost of installation would total not more than \$15 and that the annual charges would not exceed \$125. He urged the installation as a safety measure, especially during fire seasons. The Commission approved the request by unanimous vote.

The Commission considered and referred to the Parks Engineer a request from Collier H. Buffington, Attorney, in behalf of one Nick Marsh, Port Orford, who desires to transport logs across the state park located adjacent to the Oregon Coast Highway at Retz Creek, about six miles south of Port Orford, in Curry County.

A communication was presented from E. T. Stenseth, Yoncalla, requesting permission from the Commission to cross state property from time to time

enroute to and from a certain fishing point located in the Umpqua River near Scottsburg. After discussion the Commission decided to grant Mr. Stenseth this privilege as a temporary proposition in order to try the matter out. The Attorney was instructed to prepare an appropriate form of agreement granting Mr. Stenseth a revocable permit.

The Commission considered and referred to the Parks Engineer the matter of employment of Samuel C. Lancaster.

The Parks Engineer brought up for discussion the matter of acquiring from Mr. Carl G. Washburne, former member of the State Highway Commission, a 360-acre tract of land owned by him along the Oregon Coast Highway, near China Creek, in Lane County. He said that Mr. Washburne might be induced to deed the property to the state for park purposes, although he would probably want some compensation for it. He pointed out that the tract has a four-mile frontage on the ocean and on the highway and is advantageously located from a scenic and recreational standpoint. He urged the acquisition of the property even if the Commission has to pay Mr. Washburne \$70 an acre for the same, which is the amount that Mr. Washburne had to pay for it. After discussion the Commission authorized the State Highway Engineer and the Parks Engineer to talk the matter over with Mr. Washburne and ascertain whether or not he will donate the property to the state and the least amount for which he will sell it if he will not deed it to the state without charge.

The Parks Engineer brought up for reconsideration the matter of acceptance as a state park of the Armitage property located adjacent to the county road between Eugene and Coburg, in Lane County. He said that Mr. Armitage has again made inquiry whether or not the Commission is interested in acquiring this property for state park purposes and would like a definite answer from the Commission in regard thereto. He also said that the area does not meet his requirements for state parks because of its proximity to Eugene. The Commission decided not to accept Mr. Armitage's offer, at least for the time being, which is in conformance with the action previously taken on the matter.

The Engineer brought up for discussion the matter of the operations of the A. F. Coates Lumber Company's tractors and solid-tired trailers on the Oregon Coast Highway pavement at the north city limits of Tillamook. He reviewed the history of the case, which, briefly, is that the company has been hauling lumber for a number of years on the highway from its mill to its lumber yard located two or three hundred yards north of the mill and has been using in such operations tractors with insufficient rubber and trailers equipped with iron wheels, so that serious damage has been done to the highway pavement, necessitating costly repairs each year; further, that the company has refused to discontinue such hauling on the highway regardless of the fact that it has been requested to do so numerous times, which indicates that drastic action is needed to force the company to carry on its operations in such manner that the highway pavement will be preserved in a good condition for general public use.

The Commission viewed this section of the highway in company with Mr. F. A. Beltz, Manager of the A. F. Coates Lumber Company, Tillamook, during the noon hour of this day, having made a special trip to Tillamook for this specific purpose, and Mr. Beltz agreed at that time to do certain things which the Commission considers necessary for the preservation of the highway, and for the safety of the general public, but requested time to do these things because it means the construction of a private roadway between the mill and the lumber yard, the purchase of new lumber-hauling equipment, and the remodeling of their plant to accommodate the new equipment. It appeared during the discussion of this matter that the Commission and Mr. Beltz were in agreement as to the remedial measures that should be taken; however, a definite decision by the Commission was deferred until later in the day. Mr. Beltz was informed that the Commission would talk the matter over enroute to Marshfield and would advise him later by letter just what he would be required to do to satisfy the Commission. After a discussion of the matter the following action was taken by the Commission by unanimous vote: (1) The A. F. Coates Lumber Company shall be required to pay for all patching of the highway pavement necessitated by reason of its operations on this road, such patching work to be performed by state highway crews as soon as the weather will permit; (2) The Company is to make arrangements immediately to discontinue its operations on the highway pavement with tractors and iron-tired trailers; however, the company is to be given a temporary easement of six months' duration, or until September 1, 1937, to occupy the easterly side of the highway right of way, with a private roadway over which to transport its lumber from mill to yard, and such private roadway shall be constructed within 30 days' time or by April 1, 1937, at the latest. In the event that the company has not provided its private roadway by April 1, 1937, then it shall discontinue its operations on the highway pavement until such roadway is constructed; likewise, if the company has not secured and put into operation its new equipment and remodeled its plant to accommodate the same by September 1, 1937, then it shall cease its operations on the highway right of way entirely until the new equipment is ready to operate. The company is to be held responsible for the entrance ways into its property and it shall also be held responsible and liable for injury to persons and damage to property which may result from its occupancy of the highway and/or its operations thereon. The Engineer was instructed to convey this information to the A. F. Coates Lumber Company by letter.

A letter was presented from the County Court of Deschutes County in which the Commission was urged to consider stationing a rotary snowplow in Bend to facilitate the early removal of snow from state highways in this vicinity. The Secretary was instructed to inform the County Court that the Commission has already authorized the purchase of five additional snowplows and that Bend will be considered along with other places for one of these, although no definite promises in regard thereto can be made at the present time.

The Commission considered and ordered filed a letter from the St. Helens Chamber of Commerce advising the Commission that Dr. E. C. Dalton, St. Helens, has been authorized to represent the Chamber of Commerce before the State Highway Commission in the consideration of road matters.

The Secretary presented a petition signed by 115 residents of Linn County in which the Commission was requested to oil the state road commonly

known as "Albany-Crabtree Road" for a distance of about two miles from its junction with the Albany-Lebanon Road to Reilly Corner, being that portion of road heretofore graded and graveled by the state. The Engineer was instructed to bear this project in mind for construction as a county road project, to be financed with federal moneys that have to be expended for county road improvements.

The Commission considered and referred to the Engineer for investigation a letter from County Judge J. H. Allen, Grant County, in which he advises that the Grant County Court is of the impression that the State Highway Commission at one time promised to spend \$1000 of state money for the improvement of a certain section of road along Little Beech Creek, in Grant County.

The Commission also had under consideration a letter from County Judge J. H. Allen, Grant County, and a petition signed by 30 residents of the town of Mt. Vernon, Grant County, who urged the Commission to give immediate attention to the matter of increasing the waterway under Beech Creek Bridge on the John Day Highway, in the town of Mt. Vernon. They allege that the waterway under the new highway bridge at this point is insufficient to take care of requirements and unless it is increased their town will be flooded during high-water periods, causing severe damage and heavy losses to the people of this town. The Engineer advised that the present opening and waterway is adequate for ordinary spring run-offs but there is probably not enough opening to take care of the water during periods when the run-off is abnormal, such as occurred in 1932. He suggested that it would be satisfactory to raise the bridge about six inches to conform to the proposed new highway grade line, which would increase the capacity of the waterway approximately 15 per cent and in his estimation would be sufficiently large to take care of the water at any time. After discussion the Commission authorized the Engineer to proceed with this improvement if investigation reveals that it is not very costly.

A letter was presented from D. H. Peoples, Secretary, Bend Chamber of Commerce, inquiring as to the plans of the Commission for the reconstruction of The Dalles-California Highway through Jefferson County, and suggesting a reconnaissance survey at this time similar to the one undertaken on the Oregon-Washington Highway in Umatilla County. The Commission authorized the Engineer to make such reconnaissance survey at his convenience and to advise Mr. Peoples of the object of such surveys, which is to secure advance information and factual data for the selection of projects in the order of their priority, without commitment as to when the work will be undertaken.

A carbon copy of a letter from W. W. Evans, Halfway, Oregon, to the Mason Advertising Organization, Portland, complaining of the condition of the Baker-Homestead Highway in Baker County, was presented to the Commission and was ordered filed in the department records.

The Secretary also presented a letter from N. W. Smith, Lebanon, suggesting that The Dalles-California Highway be renamed to eliminate the name California. The Secretary was instructed to inform Mr. Smith that the modern way to designate state highways is by number and that The Dalles-California

Highway has such a number which it is hoped will be used universally in the future, thus automatically removing his objections to the name.

A letter was presented from County Judge C. E. Lyons, Deschutes County, urging that consideration be given by the Commission, in the formulation of its 1937 program, to additional improvements on the Central Oregon Highway. The Secretary was instructed to inform Judge Lyons that the formulation of a current construction program is now being given attention by the Commission and, while no definite commitments or promises can be made at the present time, indications are that the Central Oregon Highway is to receive a fair share of the available funds.

The Commission considered and took under advisement a letter from County Judge W. R. Cook, Jefferson County, requesting additional improvements to the Warm Springs Highway, especially a four-mile section thereof westerly from the end of the present improved road, which would bring the improved section out of Deschutes Canyon and onto what is known as Miller Flat, on the Warm Springs Reservation.

The Commission discussed a letter from the Umatilla County Court which advises that the Chamber of Commerce of Pilot Rock is desirous of having the existing right of way fence along the Oregon-Washington Highway between Pilot Rock and Nye, set back about 30 feet from its present location so as to provide room for stock to be driven along the highway off the traveled portion of the roadway. The Engineer gave as his thought that the moving of the right of way fence would not be of much help for the reason that stock would use the paved roadway regardless of where the fence is located. In his estimation, the solution of the problem, if it is practicable, would be to construct an additional fence outside of the existing right of way fence, which would provide a freeway for stock and make it impossible for the stock to get onto the highway. The Commission concurred in the Engineer's viewpoint and instructed the Secretary to so inform the Umatilla County Court and to advise the court that under the circumstances the Commission does not feel justified in spending state money to move the fence back from its present location as has been requested.

The Commission considered and took under advisement for future study a petition signed by 140 citizens and residents of Wallowa County, in which the Commission was urged to investigate, with a view of immediately reconstructing, the following described road in Wallowa County: Wallowa to Maxville, 16 miles; Maxville to Promise, 9 miles; Promise to I. S. McDonald Ranch, 2½ miles; I. S. McDonald Ranch to River Bridge over the Grande Ronde River at the mouth of Wallupia Canyon, a distance of 3 miles.

The Secretary presented numerous letters, petitions, resolutions, et cetera, from various cities and chambers of commerce, voicing their objections and oppositions to any proposed diversion of gasoline tax receipts and to the allocation of such funds to cities and towns for financing city street improvements. The Commission ordered that these communications be acknowledged with thanks and filed in the department's records.

A letter was presented from the State Hydro-Electric Commission inquiring whether or not the State Highway Commission would consider assuming the responsibility of making an aerial topographic survey and map of the State of Oregon. The Commission indicated a sympathetic attitude toward this inquiry but declined to assume such responsibility, and also declined to make available to finance such surveys any of the funds at its disposal because such funds are needed badly to meet other obligations.

The Commission had under consideration a claim from the city of Hillsboro in the amount of \$750 for right of way which the city acquired in 1933 in connection with the improvement of the Tualatin Valley Highway at the east city limits of Hillsboro. The Engineer advised that the plans for the proposed improvement of this highway called for a six-degree curve at the south end of Tenth Street where the highway enters the city; but the city, which was furnishing the right of way, urged the alteration of the alignment and the use of a ten-degree curve so as to avoid the purchase of expensive right of way; further, that the Commission and the city officials finally compromised on an eight-degree curve, with the understanding that the state would pay one-half of the difference between the cost of right of way needed for a six-degree curve and that needed for the eight-degree curve, which was estimated at about \$750. It appeared to the Commission that, under the circumstances, the claim is a just one, if it has not already been paid. The Commission referred the matter to the Attorney and the Secretary to investigate the records and to place the claim in line for payment if the investigation reveals that it has not been settled.

The Commission considered and referred to the Advisory Committee on Publicity Matters, for recommendation, a letter from Erle N. Hurd, Ventura, California, transmitted through Hon. Rufus C. Holman, State Treasurer, wherein Mr. Hurd offers his personal services in connection with advertising the State of Oregon in the State of California.

The Secretary presented numerous letters from residents and businessmen of the town of Lafayette, including one from Mr. Paul R. Kelly, Editor of the Oregonian, Portland, in which the Commission was urged to pave the unpaved strips along the West Side Pacific Highway through the town of Lafayette, a distance of about one-half mile. The Secretary was instructed to reply to these communications by stating that this project is already included in the 1937 construction program and will be constructed if there are funds available to finance the same, and indications now are that there will be funds available for this purpose.

A letter was presented from Mrs. E. M. Tebbetts, DeLake, Oregon, requesting the construction of pedestrian pathways on one or both sides of the Oregon Coast Highway through the DeLake district. The Commission denied the request as a matter of policy, the Commission being of the belief that such items of expense should be chargeable to the real property on either side of the road.

The Commission considered and ordered filed a resolution from the City Council of the City of Klamath Falls, in which the Commission was urged

to give earnest consideration, in its proposed railroad grade elimination program, to the reconstruction of Main Street in Klamath Falls, beneath the Southern Pacific Company's railroad tracks.

A letter from E. C. Golden, Mayor, Philomath, Oregon, urging the paving of the unpaved strips along the Corvallis-Newport Highway for a distance of two blocks in the business district of Philomath, had the attention of the Commission. The Secretary was instructed to inform Mayor Golden that it is doubtful if the Commission can undertake this project this year because of the scarcity of funds, there being so many other places in the state which have priority over this project and which are considered by the Commission to be of greater importance from a state-wide standpoint; however, the Commission will bear this project in mind for future consideration.

The Commission considered and approved a request from the Strawberry Fair Committee of the town of Lebanon for permission to close to traffic about three blocks of Main Street, Lebanon, the route of the Santiam Highway through that town, for two days during the fair. The request was approved, with the understanding that the city of Lebanon would provide a suitable paved detour for traffic during the time that the highway route is closed, and that appropriate signs and flagmen will be maintained at each end of the closed section to direct traffic to the detour, and provided further that the city will assume responsibility for injury to persons or damage to property that might occur by reason of the closing of this highway route, and that hereafter the city will not request the closing of this highway but will make other arrangements so that the need for closing the highway will not then exist, because the Commission will not hereafter grant such a privilege.

The Commission considered and ordered filed a communication from Mr. B. F. Irvine, Chairman of the Committee of the Sons and Daughters of Oregon Pioneers, transmitting a statement adopted by such organization on January 26, regarding the preservation and development of Champoege Park.

The Commission also considered and ordered filed a resolution from the Bandon Chamber of Commerce urging the Commission to give immediate attention to the location and construction of an alternate route for the Oregon Coast Highway between Bandon and the Coos Bay district, which route would afford all-year service and materially reduce the distance between these two sections.

A letter was presented from H.W. Torbett, President of the Amity Commercial Club, inquiring as to the plans of the State Highway Commission for the completion of the Amity-Dayton Secondary Highway. The Engineer advised that he informed Mr. Torbett that the Commission expects to oil this year that portion of the Amity-Dayton Road that was graveled last fall, but there is a question whether or not funds will be available to finance additional grading work toward Dayton this year. The Commission approved the report.

The Commission considered and ordered filed a letter from Harry L. White, Rogue River, Oregon, suggesting the diversion of gasoline tax funds to finance fence construction along state highways in stock range districts.

A letter was presented from R. W. Lemen, President, Oregon Motor Stages, Portland, expressing appreciation and commendation to the State Highway Department for its diligence and efficiency in clearing the highways of the state for traffic during the recent severe storm. The Commission ordered the communication acknowledged with thanks.

A letter was presented from Virgil Howell, President of the Lincoln County Fish and Game Protective Association, advising that a man by the name of George Govro is taking so-called "smelt sand" from the ocean beach near Yachats and is stockpiling the same on his property for future local use in concrete construction, regardless of the Commission's orders that sand shall not be taken from the beach. The Commission reaffirmed its policy in this regard, which prohibits the taking of such sand from the beach area, and instructed the Engineer to erect appropriate signs along the beach at this point calling public attention to the fact that the taking of such sand from the beach area is not allowed. He was also instructed to bring this matter to the attention of the Department of State Police and to request the cooperation of that department in the enforcement of this ruling.

The State Highway Department considered the following requests for extensions of time within which to complete certain highway construction projects:

Oregon Contracting Company and Theodore Arenz, contract No. 1773, for construction of bridges and a culvert over Burnt River and Chicken Creek, on the Old Oregon Trail, in Baker County, requested an extension of time from August 31 to October 31, 1936, in which to complete this project, giving the following reasons for their failure to complete the project within the specified time limit: (1) extreme depth of footings under water below elevation shown on plans; (2) unusual high water and flood conditions on Burnt River between April and May; (3) failure of grading contractor to complete approach fills to the new bridges, making it impossible for the bridge contractor to dismantle and move the old steel spans to Baker as required by contract. The Engineer advised that the contractors' delays were caused primarily by discontinuance of concreting during the cold weather of January and February, 1936, and a flood which occurred in April, 1936, and by lack of coordination between the grading contractor and the bridge contractor. He further stated that the bridge was completed on January 14, 1937; therefore the extension of time should be granted to that date rather than to October 31 as requested. He recommended that the extension be granted to January 14, 1937, without penalty, and in support thereof submitted a letter from the Bureau of Public Roads concurring therein. He also presented a letter from the Great American Indemnity Company, surety on the contractors' bond, agreeing to such extension. The Commission approved the recommendation by unanimous vote.

Arthur A. Hardesty, contract No. 1807, for furnishing crushed rock in stock pile for the Elgin-Rock Creek Section of the Wallowa Lake Highway, in Union and Wallowa Counties, requested an additional extension of time, from October 31, 1936, to April 30, 1937, in which to

complete this job. Bad weather conditions were given as the reason for the failure to complete the project within the specified time limit. The Engineer advised that this project is being financed with state funds and that the failure to complete the project within the specified time limit was due mostly to lack of suitable equipment and there was no real need for prolonging the job beyond the specified time limit for its completion; however, the state has not been damaged by the delay because the contractor produced on time rock that was needed for the Elgin-Rock Creek Project and has sufficient materials stockpiled for two or three years' use in maintenance operations. He also stated that the general traveling public has not been inconvenienced by the delay, neither has the state incurred any additional expense for engineering supervision because the resident engineer in charge of the job was engaged in other work at the same time. He recommended the granting of the extension requested, without penalty. The Commission approved the recommendation by unanimous vote.

Kern & Kibbe, contract No. 1812, for the construction of an undercrossing under the Southern Pacific Company's tracks on the Pacific Highway at the north city limits of Salem, Marion County, requested an extension of time of 60 days, from January 31 to March 31, 1937, within which to complete this project. They attribute their failure to complete the job within the specified time limit to delays incident to inclement weather during the early part of the job and during January and February, 1937, and to changes in foundation plans involving increased quantities. The Engineer advised that the delay was caused principally by the extensive change in the plans for the foundation of this structure. He recommended, in view of the circumstances, that the extension requested be granted without penalty, and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Roy L. Houck, contract No. 1828, for grading the Pringle Creek-Taylor Creek Section of the Pacific Highway, in Marion County, requested an extension of time of two days, from November 30 to December 2, 1936, within which to complete this project. He attributed his delay to an increase of drainage facilities not anticipated and to the late dry fall which made hand excavation work very slow. The Engineer advised that all general grading and finishing work was completed early in the fall but there was a certain amount of final work such as ditching and final blading which could be done cheaper and more efficiently, and with better results, after the ground had been softened by rains, so the contractor purposely delayed this work until the fall rains started. However, when it became evident that he would have to wait too long for the fall rains, he proceeded with the work notwithstanding the dry condition of the materials, which resulted in a two-day overrun of the time limit. He pointed out that traffic has not been inconvenienced in the least by the delay because the road is on a new section that is not yet open to travel; also, that the state has not incurred any additional expense for engineering

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because the engineering force was employed on other work at the same time. He recommended in view of the circumstances that the extension requested be granted without penalty and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Harold Blake, contract No. 1864, for paving Vancouver Avenue Extension of Vancouver Avenue, Portland, Multnomah County, requested an additional extension of time, from September 30 to November 10, 1936, within which to complete this project. He attributed the delay to wet weather, delay in moving a shingle mill off the right of way, and to the truck drivers' strike in the city of Portland. The Engineer advised that the contractor completed all of the paving work by September 19. The only work left to be completed at that time, he said, was the finishing of the shoulders, guard rail, and the general cleaning up of the job, all of which was completed on November 10, although the contractor was rather dilatory in doing the work. He further advised that traffic has not been inconvenienced by reason of the contractor's delay, neither has the state incurred any material increase in supervision cost. He recommended that the extension requested be granted without penalty and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

A. F. Arthur and P. H. Kelley, contract No. 1866, for construction of a frame office building on state highway property in Roseburg, Douglas County, requested an extension of time, from August 31 to November 24, 1936, within which to complete this job. They attribute their delay to failure in receiving certain hardware and in getting the furnace installed in the building, which prevented them from doing certain carpenter and finishing work which could not be done until the heating registers had been placed. The Engineer advised that the contractors' statements as to the cause of the delay are substantially correct. He pointed out that the furnace and finish hardware were furnished outside of the general contract and considerable delay was experienced in obtaining and installing the same. He also pointed out that the interior finish and painting of the building, under the general contract, could not be completed until this other equipment was installed. He recommended, in view of the circumstances, that the extension requested be granted without penalty. The Commission approved the Engineer's recommendation by unanimous vote.

Collins Radio Company, contract No. 1889, for furnishing and installing a radio-telephone communication system, requested an additional extension of time, from January 2 to January 12, 1937, within which to complete this installation. They attributed their delay to a change in plans which involved the installation of poles rather than the use of trees for the supporting of the antenna at the Bend station. The Engineer advised that the date of completion specified in the contract was October 25, 1936, but it was previously extended to January 2, 1937, without penalty. Subsequent to the last extension, he said, it was found

necessary to substitute poles for the antenna at the Bend Station and that such change in plans necessitated a further delay of ten days to obtain, deliver, and erect the poles. He recommended, in view of the circumstances, that the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote subject to concurrence by the P.W.A. authorities, this being a P.W.A. project.

Charles H. Leonard, contract No. 1894, for grading and surfacing the Davies-Banks Section of the Nehalem Secondary Highway, in Washington County, requested an extension of time of seven days, from November 30 to December 7, 1936, in which to complete this project. He attributed the failure to complete the project within the specified time limit to delay in the delivery of materials for a certain bridge which was included in the contract. The Engineer advised that bids were opened for this project on June 26 and the contract was awarded on July 15, and said that the reasons given by the contractor for failure to complete the project within the specified time limit are substantially correct. He further said that traffic has not been inconvenienced by reason of the delay, neither has the state incurred any additional expense for engineering. He recommended, in view of the circumstances, that the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

Odom and Skeels, contract No. 1910, for the construction of a bridge over Jordan Creek on the Wilson River Highway, in Tillamook County, requested an extension of time from January 31 to March 2, 1937, in which to complete this job. They stated that they experienced difficulty in securing lumber to construct a detour bridge at this location because the lumber mills were closed down during the forest fire season. They also said that their operations were further delayed by reason of bad weather conditions which prevented the completion of sidewalks, stripping of forms, finishing of concrete and the construction of handrail. The Engineer advised that the contractors' statement as to the difficulty of securing lumber during the forest fire season is correct and that the contractor should not be penalized for delays attributable to this cause; however, the contractors are wholly to blame for the balance of the overrun of the time limit. He recommended that the extension requested by the contractor be granted, the first seven days' extension to be without penalty but that the contractors be charged with the engineering costs that accrued subsequent to this seven-day period until the actual completion date of the project. He submitted a letter from the Bureau of Public Roads concurring in the recommendation. The Commission approved the recommendation by unanimous vote.

Hoffman Construction Company, contract No. 1915, for construction of an undercrossing under Milwaukie Avenue on the East Portland-Oregon City Highway in Portland, Multnomah County, requested an extension of time to July 24, 1937, within which to complete this project. The

Engineer advised that this extension is in accordance with the terms of the contract, which provides that, should the excavation to be performed by the grading contractor on the adjoining section be not completed by a certain date, the contract for the construction of the structure would be extended a like amount. He recommended the granting of the extension requested without penalty and presented a letter from the Bureau of Public Roads consenting thereto. The Commission approved the recommendation by unanimous vote.

The Engineer reported that the following contracts for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance:

Contract No. 1773, with Theodore Arenz and Oregon Contracting Company, for the construction of four bridges over Burnt River and a box culvert over Chicken Creek, on the Old Oregon Trail, in Baker County. Completed January 14, 1937.

Contract No. 1828, with Roy L. Houck, for grading the Pringle Creek-Taylor Creek Section of the Pacific Highway, in Marion County. Completed December 2, 1936.

Contract No. 1866, with A. F. Arthur and P. H. Kelley, for construction of an office building at Roseburg, Job No. 2248. Completed November 24, 1936.

Contract No. 1886, with Parker-Schram Company, for surfacing and oiling the Odell Junction-Dee Section of the Hood River Secondary Highway, in Hood River County. Completed October 28, 1936.

Contract No. 1889, with the Collins Radio Company, for the construction of a state-wide radio-telephone communication system. Completed January 12, 1937.

Contract No. 1894, with Chas. H. Leonard, for grading, surfacing, and construction of two bridges on the Davies-Banks Section of the Nehalem Secondary Highway, in Washington County. Completed December 7, 1936.

Contract No. 1898, with Saxton & Looney and J. S. Risley, for resurfacing and stockpiling materials on the Necanicum-Elsie Section of the Wolf Creek Highway, in Clatsop County. Completed January 6, 1937.

Contract No. 1913, with Mountain States Construction Company, for grading and surfacing the Treharne Section of the Nehalem Secondary Highway, in Columbia County. Completed November 30, 1936.

The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1773, with Theodore Arenz and Oregon Contracting Company, for the construction of four bridges over Burnt River and a box culvert over Chicken Creek, on the Old Oregon Trail, in Baker County. Completed January 14, 1937;

Contract No. 1828, with Roy L. Houck, for grading the Pringle Creek-Taylor Creek Section of the Pacific Highway, in Marion County. Completed December 2, 1936;

Contract No. 1866, with A. F. Arthur and P. H. Kelley, for construction of an office building at Roseburg, Job No. 2248. Completed November 24, 1936;

Contract No. 1886, with Parker-Schram Company, for surfacing and oiling the Odell Junction-Dee Section of the Hood River Secondary Highway, in Hood River County. Completed October 28, 1936;

Contract No. 1889, with the Collins Radio Company, for the construction of a state-wide radio-telephone communication system. Completed January 12, 1937;

Contract No. 1894, with Chas. H. Leonard, for grading, surfacing, and construction of two bridges on the Davies-Banks Section of the Nehalem Secondary Highway, in Washington County. Completed December 7, 1936;

Contract No. 1898, with Saxton & Looney and J. S. Risley, for resurfacing and stockpiling materials on the Necanicum-Elsie Section of the Wolf Creek Highway, in Clatsop County. Completed January 6, 1937;

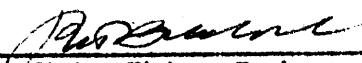
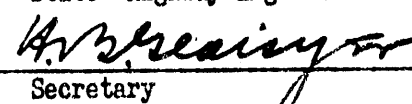
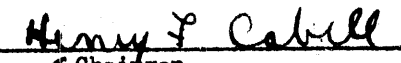

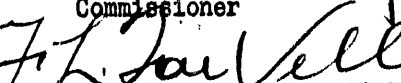
Contract No. 1913, with Mountain States Construction Company, for grading and surfacing the Treharne Section of the Nehalem Secondary Highway, in Columbia County. Completed November 30, 1936;

THEREFORE, BE IT RESOLVED that the work covered by said State Highway Commission contracts for the construction of said state highway projects be declared completed according to the terms and provisions of the respective contracts and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission confirmed the telephonic postponement of the regular meeting heretofore scheduled for February 4, to February 18, 1937. The Commission also confirmed the telephonic postponement of the public hearing scheduled to be held in Marshfield on January 19 and again postponed to February 20, 1937. (These meetings were postponed by the Commission because of illness and bad weather conditions.)

The Commission also considered and set Thursday and Friday, March 25 and 26, 1937, as the dates for its next regular meeting to be held in Portland for the receiving of bids on highway construction projects. The Secretary was instructed to arrange to hold this meeting in the Auditorium of the Public Service Building, Portland, in accordance with the usual practice.

There being no further business to be disposed of at this time, the meeting was declared adjourned at 6:00 o'clock p. m.

 State Highway Engineer  Secretary	 Chairman  Commissioner  Commissioner
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Marshfield, Oregon, February 20, 1937.

The State Highway Commission met in special session in the lobby of the Chandler Hotel, at which meeting there were present all three Commissioners, the State Highway Engineer, the Attorney, and the Secretary.

The Commission considered matters pertaining to additional W.P.A. projects on the Wilson River and Wolf Creek Highways and two other proposed W.P.A. projects, one of which is on the Columbia River Highway at the east city limits of Portland, involving the construction of a drainage sewer, catch basins, concrete gutters, et cetera, for a distance of about one and one-half miles, at a total estimated cost of \$31,708.00 of W.P.A. funds and \$9,883.00 of state highway funds; the other being a project for the establishment of a storage shed and service yard in McCord Creek State Park, adjacent to the Upper Columbia River Highway in Multnomah County, which project involves the expenditure of \$1,464.00 of W.P.A. money and \$247.00 of state highway funds. The Engineer explained that the proposed new projects on the Wolf Creek Highway involve new work as follows:

Cedar Mill-Barnes Road Section, 3.89 miles in length, estimated total cost \$234,641.00, of which \$22,507.00 represents the sponsor's contribution and \$212,134.00 represents W.P.A. funds;

Sunset Camp-Tunnel Section, 2.43 miles in length, estimated total cost \$423,843.00, of which \$64,140.00 represents the sponsor's contribution and the balance of \$359,703.00 represents W.P.A. funds;

Tunnel-Buxton Section, 3.5 miles in length, estimated total cost \$904,575.00, of which \$135,165.00 represents the sponsor's contribution and \$769,410.00 represents the requirement of W.P.A. funds;

(Continued on next page)

(New work involved on proposed new Wolf Creek projects, continued:)

Buxton-Manning Section, 3.42 miles in length, estimated total cost \$541,570.00 of which the sponsor's contribution amounts to \$81,172.00 and the balance of \$460,398.00 represents W.P.A. funds.

He also explained that the sponsor's contribution represents 15 per cent of the total cost, which at one-third efficiency is the equivalent of 45 per cent in comparison to 38 per cent efficiency which is now obtained on federal aid work. He pointed out that, if the efficiency should drop to 25 per cent, which is not at all likely, the state's contribution would then be equivalent to 60 per cent of the total cost. He advised that Washington County has stated its willingness to sponsor these projects provided the state will guarantee the payment of the sponsor's contribution.

In the discussion of this matter it was brought out that the state is now heavily involved in the Wilson River and Wolf Creek Highway W.P.A. projects that are now under way and that it will be quite some time before the present projects are completed. It was the thought of the Commission that, under the circumstances, it would be unwise to obligate additional state funds for work on these roads until the projects that are now under way are completed. A decision in the matter was deferred and it was referred to Chairman Cabell and the Engineer to discuss fully with the W.P.A. authorities, following which final action will be taken.

Consideration was then given by the Commission to the proposed W.P.A. projects on the Columbia River Highway at the east city limits of Portland and the McCord Creek State Park. Both of these projects were approved by the Commission by unanimous vote, subject to the condition that the Engineer, after further study, is of the opinion that they are meritorious projects and that the expenditure of state funds in connection with them is fully justified. Both projects were referred to the Engineer with power to approve them if he is satisfied after the investigation that the expenditure of state funds in connection therewith is warranted.

At 10:00 o'clock a. m. the Commission adjourned to the City Council Chambers in the City Hall, Marshfield, to conduct a public hearing relative to the rerouting of the Oregon Coast Highway in the city of Marshfield near the south city limits, at Coalbank Slough, in accordance with official notice heretofore given the Marshfield City Council as required by statute. Present were:

Henry F. Cabell, Chairman  
 E. B. Aldrich, Commissioner  
 F. L. Tou Velle, Commissioner  
 R. H. Baldock, State Highway Engineer  
 J. M. Devers, Attorney  
 H. B. Glaisyer, Secretary

Also present were about forty local citizens, including Mayor Charles H. Huggins and Mrs. Frank Noeninger.

Chairman Cabell called the meeting to order and explained its purpose and the law which requires the State Highway Commission to conduct a public hearing in an incorporated city or town before it changes the route of entrance of any state highway into or through such city or town. At his request the Engineer explained the plans of the Commission for the rerouting of the Oregon Coast Highway at the south city limits of Marshfield, which change contemplates the elimination of the right-angle turn in the present highway at the intersection of South Broadway and Kruse Avenue and substituting therefor a flat curve commencing on Broadway, between Ingersoll Avenue and Johnson Avenue, and extending southeasterly across Coalbank Slough to the existing highway in what is known as the Bunker Hill district; thence easterly along said existing highway about three blocks; thence on a curve to the right through the Bunker Hill district, rejoining the present highway at a tangent near the southern limits of the Bunker Hill district, to eliminate numerous sharp curves through this district. He exhibited a map showing the proposed plan and advised that the Commission contemplates construction along the new alignment when funds become available to finance the project, and that the right of way through the Bunker Hill district would be 80 feet wide. Chairman Cabell then invited those present to express themselves either for or against the proposed improvement.

Mayor Huggins advised that the property owners along the proposed route have been canvassed and so far as he is able to ascertain there are no objections to the proposed improvement.

Mrs. Noeninger stated that she owns property at the northeast corner of Johnson Avenue and South Broadway, where she conducts a barber shop and store business. She said that the proposed improvement affects her property and inquired what the state intends to do about the right of way.

Chairman Cabell advised that the state will assume the responsibility for the securing of the right of way across Mrs. Noeninger's property through the usual procedure, which involves personal negotiations, and the state will endeavor to arrive at a fair settlement for such right of way. However, if it appears impossible to arrive at a mutual agreement as to the price then the matter will have to be taken to court although the Commission prefers greatly not to have to resort to such action. This appeared to be satisfactory to Mrs. Noeninger.

There being no others present desiring to be heard on this subject, the hearing was declared terminated.

Messrs. F. C. Chezick and Fred Dobbyn, Directors of School District No. 85, Coos County, Bunker Hill, and Mr. Gust Roos, Clerk of said school district, appeared before the Commission as representatives of Bunker Hill community and School District No. 85, and urged the Commission to construct a sidewalk along the Oregon Coast Highway as now located through the Bunker Hill district for the benefit of school children and other pedestrians. Mr. Chezick was spokesman for the group. He said that the present highway is narrow and crooked and carries a large volume of traffic and, under present conditions, it is very dangerous for people to walk along this road; hence the request

for the immediate construction of a sidewalk, notwithstanding the proposed reconstruction of the highway this year. It was his thought that conditions warrant the construction of a sidewalk of some kind and the expenditure of state funds therefor, even though it would be a temporary improvement pending the reconstruction of the road. Chairman Cabell advised that the Commission contemplates the construction of the sidewalk in connection with the proposed highway improvement.

The Engineer advised that he could not recommend the expenditure of state money at the present time for a temporary sidewalk because it would simply mean a waste of public funds if the Highway Commission proceeds to rebuild the highway as is now proposed.

Chairman Cabell advised that, if the proposed improvement is not included in the current construction program, the Commission will give very serious consideration to the construction of a temporary sidewalk. He added that the Commission might approve a small amount to take care of immediate needs if the road improvement does not materialize, but the Commission will not spend any money for a sidewalk if the major highway improvement is undertaken this year. After further discussion the Commission referred the matter to the Engineer to investigate conditions and ascertain the necessity for immediate relief from the present hazardous conditions, and the estimated cost thereof.

Mr. Roos presented a petition signed by 74 residents of the Bunker Hill district, in which the Commission was requested to take action as may be necessary to cause one Mr. Menelo Camelo to remove a certain fence which he has constructed on his property adjacent to the Oregon Coast Highway in the Bunker Hill Addition, being on Lots 1, 2, 3 and 4 of Block 6 of said addition, which fence, he said, is about 11 feet high and approximately 50 feet long and is constructed parallel to the highway at a point where there is a very sharp turn. It appears that the fence has been constructed in such a way as to constitute a menace to traffic and to impair the safety of the people traveling on this highway in that it obstructs sight distance; also, that it should be removed as a safety measure. The Commission referred the petition to the Engineer for investigation and report.

Messrs. Dick Whitty and Frank Herman, representing the City Council of the town of Eastside, came before the Commission and requested the oiling of the Coos River Secondary Highway between Marshfield and Eastside in order to alleviate the dust nuisance which obtains during the dry season. They said that many people live along this road and that the road carries a large volume of traffic, which creates a dust nuisance that is almost unbearable, hence the plea for relief. They also asked the Commission to construct a nonskid surface on the drawspan of the bridge which spans Isthmus Slough on this highway. They alleged that the present pavement is smooth and very slippery during seasons of fog and rain and as a consequence accidents frequently occur. The Commission referred these matters to the Engineer for investigation and report.

Mrs. James W. Osburne and Mrs. Arthur J. Wade, representing the Englewood Improvement Club of Marshfield, came before the Commission and requested

the recolling of a one and one-half mile section of the road which extends westerly from the intersection of South Broadway and Kruse Avenue. They pointed out that, at the request of the Coos County Court and the Improvement Club, the State Highway Commission oiled this section of road in 1936 and that they enjoyed the improvement for about five months, but as soon as the wet weather set in the road went to pieces under the pound of heavy traffic, so that it is now almost impassable. They pointed out that the 1936 oiling improvement was financed with funds furnished by the County Court and the Englewood Improvement Club, the club having paid \$2,200 as its share of the cost, and they have nothing now to show for the expenditure. They asked the Commission for relief and that the road be designated as a secondary state highway, if necessary, in order to secure improvement as a state project to be financed with state money.

Chairman Cabell advised that the State Highway Commission has an established policy which limits the number of county roads that can be taken over as secondary state highways; also, that the Commission is spending annually in Coos County for secondary highway improvements much more than the county is entitled to under the secondary highway budget, so that, under the circumstances, it does not appear likely that the Commission can place this particular road on such secondary system at this time. However, the Commission will consider the proposition in arranging future programs, although no promises can be given now in regard thereto.

There being no further business to come before the Commission at this time, the meeting was adjourned at 11:00 o'clock a. m.

[Signature]  
State Highway Engineer

[Signature]  
Secretary

Henry F. Cabell  
Chairman

E. B. Aldrich  
Commissioner

F. L. Tou Velle  
Commissioner

Portland, Oregon, March 10, 1937

The State Highway Commission met in special session at 9:00 o'clock a. m. in Room 940, New Heathman Hotel. Present were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
J. M. Devers, Attorney  
H. B. Glaisyer, Secretary

Mr. Alfred A. Hampson, General Attorney, Southern Pacific Company, was present and discussed briefly with the Commission matters pertaining to the right of way of the old U. S. Spruce Production Corporation Railroad in Lincoln County. He said that he understood that the Highway Commission is desirous of acquiring this right of way and other land lying between this right of way and the ocean so as to preserve the scenery along the highway and the unobstructed view of the ocean; however, he was not in a position to name a price for the property because he really did not know how much of the property the Southern Pacific Company owns but he would have the titles looked into and would advise the Commission when such information is available.

The Commission advised Mr. Hampson that it is interested in acquiring this property if it can be obtained at reasonable cost. The Attorney was authorized by the Commission to negotiate with the railroad company for the acquisition of same or such parts thereof as, investigation reveals, are owned by the Southern Pacific Company.

The Engineer discussed with the Commission matters pertaining to the proposed undercrossing under the railroad tracks of the O. W. R. & N. Company on the Ontario Spur Section of the Old Oregon Trail at Ontario. He inquired whether he should design this structure for two lanes of traffic or four lanes of traffic, there being a difference of some \$66,000 in the estimated cost of the two types. He explained that the plans call for the depression of the highway under the railroad at this point which will place the roadway about 13 feet below maximum water level and, as a consequence, the foundation for the structure and the roadway will have to be built heavy enough to withstand the water pressure, which accounts for the difference in the cost for a 4-lane roadway, 50 feet wide, and a 2-lane roadway, 30 feet wide. The Commissioners expressed themselves as being in favor of a 4-lane width roadway for crossing structures of this kind within incorporated limits of cities and towns and, after discussion, ordered, by unanimous vote, a structure of such width (50 feet) for the undercrossing in Ontario.

The Engineer also discussed with the Commission the advisability of including in the current railroad grade separation program the construction of an overcrossing over the tracks of the O. W. R. & N. Company near the end of the railroad tunnel at East St. Johns, in Portland, as has been advocated by the railroad company officials. The Engineer advised that, in his

estimation, the best location for this structure is on Fessenden Street. He pointed out that by using the Fessenden Street location the entire improvement, except for the paving of two blocks between Portsmouth Avenue and Adriatic Avenue, could be financed with Federal funds, and that the City of Portland has indicated that it might assume at least a portion of the cost of these two blocks, particularly the grading and gravel surfacing, although the City could not pay for the paving of the same, hence the necessity to provide funds from some other source to finance such portion. He added that this project, in his estimation, is of more value than the proposed railroad grade crossing project in the town of Cairo, Malheur County, and he recommended the inclusion of this project in the present program.

In the discussion of this matter the question arose whether or not the City of Portland would assume the payment of damages that might arise by reason of changing the grade of Fessenden Street and those intersecting the same which would be required. The final decision of the Commission, in which all Commissioners concurred, was to include this project in the current program provided the City of Portland will assume the payment of damages and the payment of the costs that cannot be paid with Government funds, and that the railroad company will furnish the necessary right of way. The Engineer was instructed to transmit the Commission's action to the railroad company officials. He was also given authority by the Commission to make the surveys that are necessary in connection with this project.

Mr. S. W. Starmer, Roseburg, was present in regard to a right of way matter in the City of Roseburg. It appears that Mr. Starmer owns some property that is needed by the State for right of way for the revised location of the Pacific Highway in Roseburg and that he gave the Commission's right of way agent an option for such right of way which option provided for no cash consideration but involved an exchange of properties of equal value. It also appears that there is a residence building located partly on the land that Mr. Starmer wants from the State and partly on the newly acquired right of way.

Mr. Starmer alleges that he gave the option to the right of way agent with the understanding that the building located on the State's property would go with the land but, contrary to his expectation, the Commission has proceeded to sell the building to other parties, in fact, has already taken bids for the same and, furthermore, has caused to be destroyed certain trees, shrubs, et cetera, located on the land, all of which is to his detriment, because he had plans for the utilization of the building and such trees and shrubs. The Attorney and the right of way agent were present and disputed the allegations of Mr. Starmer and both alleged that it was clearly understood that the building did not go with the land and, as evidence thereof, no mention of the building was made in the option.

After considerable discussion of this matter, Chairman Cabell informed Mr. Starmer that the Commission would study the matter carefully from all standpoints and would let him know as soon as possible the outcome thereof but, in all probability, in order to arrive at a satisfactory settlement, the Commission would make him a cash offer for the land that was actually taken from him and the basis of the payment to him for such land would be what the

Commission has paid for similar property in the same vicinity. The Commission reconsidered this matter later in the session at which time the Attorney was authorized to inform Mr. Starmer that the Commission will settle this matter on the basis of an equal exchange of land and payment by Mr. Starmer of at least \$150 for the building.

The Engineer requested authority to acquire certain parcels of real property that are needed for various state highway improvements throughout the State. He submitted a list of such properties and the prices that he recommended be paid for each. After careful study the Commission approved the Engineer's request and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Sand Hollow-Umatilla County Line Section, Echo-Lexington Highway</u>				
3967-Stanfield, Katherine M.	Stock pile	1.17	10 yards gravel	Wells
<u>City of McMinnville Section, West Side Pacific Highway</u>				
3796-Miller, W. C.	R/W	2.70	at \$400 per a. plus \$420.50	Collins
3802-Nelsen, N. G.	"	195 sq.ft.	\$25 lump sum	"
3803-Frisbie, N. W.	"	0.83	at \$750 per a. plus \$182.00	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Shedd-Halsey Section, Pacific Highway</u>				
4280-Barber, Wayne	R/W	1000 Sq.Ft.	\$750 Lump Sum	McCallister
4229-Kennedy, Zella M.	"	1549 " "	\$250 " "	"
<u>Whiterock-Valley Falls Section, Fremont Highway</u>				
3366-Winchester, R. E.	R/W	2.64	at \$100 per a. plus \$357.00	Gardiner
3356-Weir, Robert	"	1.01	at \$100 per a. plus \$355.00	"
<u>Sunset Camp-Elsie Section, Wolf Creek Highway</u>				
2069-Detroit Trust Co.	R/W	26.41	\$1119 Lump Sum	Gardiner
<u>Vernonia Section, Nehalem Highway</u>				
4476-Laramore, Odus	R/W	2195 Sq.Ft.	3¢ per Sq.Ft. plus \$34.15	McChesney
<u>Butter Creek Section, Lexington-Echo Highway</u>				
4016-Pacific Coast Joint Stock Land Bank (Correction) Quarry Site		3.0	\$250 Lump Sum	Devers
<u>Rainier Section, Lower Columbia River Highway</u>				
4023-Smith, Milton & C.A.	Drainage Tunnel	252 Sq.Ft.	Gratis	Gardiner
<u>Murphy Bridge South End, Williams Secondary Highway</u>				
3521-Ainsworth, M. M. (Correction)	Drainage Easement	0.06	\$50 Lump Sum	McCallister
<u>Dolph Section, McMinnville-Tillamook Highway</u>				
4180-Groundwater, Frank	Stock Pile	0.38	\$25 Lump Sum 2 year Lease	Collins
<u>Catherine Creek Section, Medical Springs Highway</u>				
4081-State Board of Forestry	R/W	0.479	Gratis	DeSouza
<u>Rock Creek-Morrow County Section, Wasco-Heppner Highway</u>				
4212-Whyte, George	R/W	40.61	37.61 a. at \$3 per a. 3.00 a. at \$15 per a. plus \$1000.00	Wells
<u>Sherman County, Sherman Highway</u>				
4336-Lamborn, Hattie	Quarry & Storage Site	0.77	at \$52 per a. plus \$20.00	McChesney
<u>Beatty-Bly Section, Klamath Falls-Lakeview Highway</u>				
4399-Garrett, W. T.	Stock Pile	3.99	at \$18.80 per a.	McChesney

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>S. E. Grand Avenue-S. E. 17th Ave. Section, East Portland-Oregon City Hwy.</u>				
2865-Southern Pacific Co.	R/W	2,221 Sq.Ft.	at 16¢ per Sq.Ft.	DeSouza
		9,580	at 16¢ per Sq.Ft.	
		9,491	at 12¢ per Sq.Ft. plus \$475.00	
		3,143	at 10¢ per Sq.Ft. plus \$1725.00	
		7,300	at 15¢ per Sq.Ft. plus \$25.00	
		6,045	at 12¢ per Sq.Ft.	
		7,867	at 20¢ per Sq.Ft. plus \$1810.00	
		31,300	at 17½¢ per Sq.Ft. plus \$700.00	
		12,368	at 16¢ per Sq.Ft. plus \$4845.00	
		5,913	at 16¢ per Sq.Ft.	
		10,072	at 14¢ per Sq.Ft.	
		61,892	at 14¢ per Sq.Ft. plus \$2160.00	
		8,901	at 15¢ per Sq.Ft.	
		16,660	at 13½¢ per Sq.Ft.	
		16,705	at 13½¢ per Sq.Ft.	
		961	at 30¢ per Sq.Ft. plus \$890.00	
		6,000	at 30¢ per Sq.Ft.	
		1,500	at 35¢ per Sq.Ft.	
		285	at 30¢ per Sq.Ft.	
		521	at 30¢ per Sq.Ft.	
		799	at 15¢ per Sq.Ft. plus \$147.50	
			Lease on Lot for Shoofly, 1 Yr. \$128.00	
			Payment for cancellation of 2 leaseholds at \$25.00 each	

In this connection the Attorney requested instructions whether or not to secure title insurance covering certain property that the Commission is acquiring from the Southern Pacific Company for right of way for the East Portland-Oregon City Highway in Portland, involving payment to the company of some \$46,000.00. He explained that such title insurance would cost the State not less than \$200 and gave as his thought that this might be saved, if the Commission thought advisable, because he is securing a warranty deed from the Southern Pacific Company, which in his estimation is a reliable company, and would not hesitate to correct the title at its own expense if that were found necessary in the future, which he did not think likely.

The Commission decided to secure the title insurance covering this

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property, notwithstanding the reliability of the Southern Pacific Company, in order to provide for uniformity of procedure in connection with matters of this kind.

The Commission approved the sale of a parcel of land on the west side of the newly acquired highway right of way in Roseburg, and outside of the standard right of way limits, to Mary L. Pargeter, Roseburg, for the sum of \$230, the sale having been recommended by the Attorney and the Engineer.

The Commission had under consideration the acquisition of a maintenance station site near the Alsea Highway in the town of Alsea. A decision in this matter was deferred pending inspection of the site by the Engineer and receipt of his report on the same.

The Commission, by unanimous vote, considered and approved as of March 3, 1937, a form of deed whereby Mr. and Mrs. Collier H. Buffington, Gold Beach, Oregon, convey unto the State of Oregon an undivided one-half interest in and to Lot 4 of Section 18, and Lot 1 of Section 19, T. 34 S., R. 14 W., W.M., Curry County, which deed contains a provision that the property is to be used for "highway and park purposes only."

The Commission had under consideration the matter of acquisition of additional right of way at the intersection of the Green Springs Highway and the Klamath Falls-Weed Highway. The Engineer advised that the proposed improvement of the highway involves a slight change in the alignment of the Green Springs Highway at this intersection, requiring the acquisition of land for widening but the County is unable to obtain this right of way because the property owners are reluctant to dispose of their property unless construction is undertaken immediately, although they would be willing to deed the right of way to the State, if the Highway Commission will do the excavation work now so they can develop their properties. He said that this revision could wait until the entire section of which it is a part is reconstructed but it appeared to him advisable to make this small improvement now as a minor betterment project in order to obtain the right of way at the least possible expense. He recommended approval of this project which he estimated would cost about \$2500. The Commission approved the recommendation by unanimous vote.

The Engineer requested instructions in regard to the disposal of two buildings at Reedsport which were used by the Engineer and the contractors in connection with the construction of the Oregon Coast Highway bridge at this point. It appears that these buildings were constructed by the State on land owned by the County, which land was later acquired by one O. H. Hinsdale, at a tax sale and Mr. Hinsdale claims ownership of the buildings and has moved them to other property owned by him notwithstanding that one of the buildings is being used as an office by one of the Highway Department engineers. The Engineer advised that at no time has anyone been given any idea that the State Highway Department did not own the buildings or did not care for the buildings, the fact being that one of the buildings is needed for highway purposes, and he had intended to sell the other one. He estimated the value of the buildings at \$50 each and requested instructions from the Commission as to what to

do about the matter. After considerable discussion the Commission decided to claim ownership to the buildings and instructed the Engineer to tell Mr. Hinsdale that he could have one of the buildings upon payment of the sum of \$50.00 for the same but the Highway Commission needs the other one for its use. He was also instructed to repossess the buildings in the event that Mr. Hinsdale will not accept this proposition.

The Commission considered the matter of acquiring four stock pile sites from the Shevlin-Hixon Company adjacent to The Dalles-California Highway in Deschutes County. The Attorney advised that it is impossible to reach a satisfactory agreement with the company for the acquisition of these sites unless the State Highway Commission will assume the risks for fire hazard. He also advised that he has a report from Division Engineer Chandler stating that he has found two alternate sites that could be substituted for two of those located on the company's land but that the other two would have to be acquired from the company because there are no others available, and stating further that the Commission would assume no fire risks by so doing because none exist.

The Engineer suggested that arrangements might be made to pile some of the material on the highway right of way if no other suitable sites can be found within a reasonable hauling distance. It was his thought that the piles would not be particularly undesirable because the country all looks alike and the piles would not interfere with the scenery. The Commissioners expressed themselves as being opposed to taking any chances whatsoever of fire risk and indicated their preference of the Engineer's suggestion. After discussion, the Commission instructed the Attorney to discontinue negotiations with the Shevlin-Hixon Company for its property and investigate the possibilities of acquiring the two alternate sites mentioned by the Division Engineer, Wm. E. Chandler. If inspection reveals that these two sites are not sufficiently large to accommodate all of the rock that must be stored thereon, then the Engineer is authorized to store the balance of such material on the highway right of way in suitable and convenient locations.

The Attorney requested instructions in regard to the closing of options heretofore taken for right of way for the Tigard Section of the West Portland-Hubbard Highway. He recalled that the Commission ordered that the options be not closed pending action by the Legislature on freeway matters and gave as his thought that the Commission might want to instruct him further at this time in view of the fact that the Legislature voted down the bill providing for freeways and some of this right of way is needed for new projects that are in the current highway program. After discussion and in view of the circumstances the Commission by unanimous vote instructed the Attorney to proceed with the closing of the options.

In this connection the matter of providing freeways was brought up and discussed. It was the thought of the Commission that this particular section of highway would be a good one on which to try out the freeway proposition. Accordingly, the Attorney was instructed to provide for freeways, if possible, in his negotiations with the property owners for right of way and, if the property owners will not agree to such freeways, then he is to negotiate for the acquisition of extra strips of land on each side of the highway for development

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as state parks, which would prevent access to the highway through these particular areas and would accomplish the results that are desired by freeways. The strips are to be of reasonable width, not less than 100 feet unless absolutely necessary, and the acquisition of such strips is to be confined to the section beyond the limits of the high-priced land which ends approximately one mile south of the north end of the project proposed for immediate construction near the town of Tigard. The Attorney was also instructed to render a report at the next meeting on the results of his endeavors to secure such freeways and extra strips.

The Commission discussed the matter of acquiring right of way on the revised alignment of the Oregon Coast Highway at Otter Crest, in Lincoln County, and land between the new highway and the old highway as an addition to the present state park at this place. The Parks Engineer was present and strongly urged the acquisition of the area between the two locations so as to preserve and protect the present park, provided the cost thereof is not exorbitant. The State Highway Engineer suggested the acquisition of the right of way but questioned the advisability of spending the State's money for the additional land. The Attorney advised that the owners of the property are willing to sell the right of way through their holdings but do not want to dispose of the area between the old highway and the proposed new highway because they want to develop it for their own use.

After considerable discussion and, in response to the urgent plea of the Parks Engineer, who pointed out that the extra area is absolutely needed in order to protect the present park, the Commission decided to acquire both tracts if they can be secured at reasonable cost. The Commission thereupon authorized negotiations for the purchase of both tracts on the following basis: Negotiations for the right of way are to be conducted first; negotiations for the purchase of the park area are to be commenced when the right of way negotiations are completed and, if a satisfactory settlement cannot be reached for the same, it is to be acquired by condemnation.

The Commission considered, and ordered filed, a communication from the County Court of Clatsop County advising that the County has designated as a public park and recreational area, to be known as "Nehalem Park", a tract of land situate adjacent to the Wolf Creek Highway in Section 32, T. 5 N., R. 7 W., W.M., Clatsop County.

The Attorney reported that it apparently will be necessary to institute condemnation proceedings to acquire certain parcels of land that are needed for right of way for several of the projects for which the Commission will take bids at its meeting on March 25. He requested authority from the Commission to commence such proceedings if further negotiations reveal that to be necessary. The Commission granted the Attorney's request by unanimous vote.

The Engineer brought up for discussion the matter of designating a Federal Secondary or Feeder Highway System which is needed in order to comply with the rules and regulations of the Federal Government for carrying out the provisions of Section 7 of the Act of June 16, 1936, relating to the improvement of secondary or feeder roads. He explained that the regulations require

that the Federal Funds be applied to projects essentially rural in character that are not on highway routes or which are potential additions to the Federal Aid Highway System within a reasonable interval, which means that this secondary system must be comprised largely of county roads. He gave as his thought that the selection of roads comprising the system should be determined after conferring with the County Courts, and recommended a series of meetings with the County Courts during the coming summer to discuss the matter. In this connection he read aloud a circular letter that he has prepared to be sent to the County Courts informing them fully of the requirements and suggesting conferences from which a system of Federal Secondary Roads could be arranged. He pointed out that it would be practically impossible to establish this system and provide for contracts to be let this year so that construction could be planned for next year without inconvenience, which would allow sufficient time for the completion of the State-wide Planning Survey, the results of which could be used to advantage in selecting the roads for this system. The Commission approved the Engineer's report and letter and authorized him to send the letter to the County Courts over the Commissioners' signatures.

In this connection the Commission had under discussion the written opinion of the Attorney dated March 8, 1937, relative to the authority of the Commission to spend State Funds for the construction of secondary road projects that are to be included in the Federal Secondary or Feeder Road System. The Attorney advised that there is no specific Oregon statute to which the Commission can point for authority to spend State Highway Funds for the construction, improvement, or maintenance of a county road. However, in view of the fact that the Federal Secondary Highway System will be composed of approximately 50 per cent state highways and 50 per cent county roads, then, in his estimation, it is within the lawful authority of the Highway Commission to enter into an agreement with the Federal Government whereby the State would agree to make available a sufficient amount of State money to match the Government money if the agreement contains provision that the portion of the funds expended on county roads shall be taken from the Federal allocation leaving the State's funds to be expended on the State roads. He suggested, if such an arrangement is effected, that the Highway Commission enter into agreements with the counties providing for the maintenance of the county roads that are constructed under this program and that such agreements provide for the assignment to the State of a sufficient amount of the counties' share of the Motor Vehicle Fund to pay the cost of such maintenance work. The Engineer read the Attorney's opinion aloud which was approved by the Commission by unanimous vote. The Engineer was instructed to send copies of the opinion to W. H. Lynch, District Engineer, Bureau of Public Roads, who has requested this information.

The Commission had under consideration a letter from Mr. Dan Fry, Secretary of the State Board of Control, in which he advises that the Legislature has placed the State Property Control Department under the control of the State Board of Control and that the amount of the appropriation made by the Legislature to sustain this operation and conduct the Property Control Department is insufficient, hence he contemplates charging the State Highway Commission \$300 per month plus the expenses incurred in the annual audit to help defray the expense of maintaining the department.

The Attorney advised that House Bill No. 445 of the Legislative session just closed is the act which transfers the Property Control Department to the State Board of Control and that House Bill No. 419 is the act by which appropriations were made for the administration of House Bill No. 445. He pointed out that neither of these acts contains provision by which the State Board of Control is authorized to bill the State Highway Commission for any part of the cost of administering the Property Control Department; also, that he can find no statute or court decision that authorizes the Commission to approve for payment claims such as those Mr. Fry proposes to submit. House Bill No. 445, he said, outlines the duties, responsibilities and functions of the State Board of Control with respect to the Property Control activities but none of these activities are under the control or supervision of the State Highway Commission, and he can find no law which authorizes the Highway Commission to pay claims, expenses, et cetera, incurred by some other State agency in the discharge of its duties, as would be the case in this instance. He gave as his opinion, therefore, that the Commission is without authority to obligate State Highway Funds for the payment of such claims as are outlined in Mr. Fry's letter. He explained that he has discussed this matter with the Attorney General who concurs in his opinion. The Commission approved the Attorney's report and ordered that the same be transmitted to Mr. Fry.

The Engineer requested authority to advertise for bids for furnishing about 10,000 cu. yds. of maintenance materials for the Willamina Rock Production Project which includes portions of the McMinnville-Tillamook Highway, Salmon River Highway, and the Dallas-Coast Secondary Highway in the vicinity of Willamina and Valley Junction. He estimated the cost at \$22,000.00. The Commission approved the request by unanimous vote.

The Commission, by unanimous vote, adopted the following resolution renaming the Pacific Highway "Pacific Highway East" and the West Side Pacific Highway "Pacific Highway West" in accordance with the suggestion of Lewis A. McArthur, Secretary of the Oregon Geographic Board, which was approved by the Commission on January 7, 1937:

WHEREAS, the Legislative assembly of the State of Oregon in 1917 enacted Chapter 423 of the Laws of Oregon for 1917, by which Legislative act there were selected and designated certain highways which were to constitute in part the state highway system; and

WHEREAS, by said act the legislature designated the following highways as parts of the state highway system, to wit:

"The Pacific Highway from the Multnomah county line through Washington county and Yamhill county by way of Hillsboro, Forest Grove, McMinnville to Dallas, Monmouth and Independence in Polk county; to Corvallis and Monroe in Benton county and through Eugene to the north line of Douglas county.

"The Pacific highway from the Multnomah county line

through Oswego, Oregon City and Canby in Clackamas county, thence through Marion and Linn counties, to a junction with the highway at Junction City."

and

WHEREAS, under the authority of Section 44-120, Oregon Code, 1935 Supplement, the Highway Commission is authorized and empowered to make such changes in the location of the above described highways as in the discretion of the Commission will result in better alignment, more advantageous and economical highway construction, or will contribute to and effect a better and more serviceable system of state highways than is possible under the statutory location; and

WHEREAS, in the judgment of the Highway Commission the said alignment of said above described highways should be changed so as to conform to the location and description hereinafter given; and

WHEREAS, the Federal Government is engaged in the construction of Federal highways and has created a Federal highway system and has made the hereinafter described highways parts of said system, and in said designation has designated one highway as U. S. Highway No. 99W and the other as U. S. Highway No. 99E to distinguish between the West Side Pacific Highway and the East Side Pacific Highway; and

WHEREAS, it is the judgment and opinion of the Commission that the highway designated and defined as a highway beginning at the junction with the Pacific Highway in Portland, and running thence southerly through West Portland in Multnomah County, through Tigard in Washington County, through Newberg, McMinnville and Amity in Yamhill County, through Rickreall and Monmouth in Polk County, and through Corvallis and Monroe in Benton County to the junction with the Pacific Highway at Junction City in Lane County should be designated as Pacific Highway West (U. S. Highway 99W); and that the highway beginning at the junction with the Pacific Highway in Portland and running thence southerly through East Portland in Multnomah County, through Milwaukie, Oregon City and Canby in Clackamas County, through Aurora, Salem and Jefferson in Marion County, and through Albany and Harrisburg in Linn County to the junction with the Pacific Highway at Junction City in Lane County should be designated as Pacific Highway East (U. S. Highway 99E); and

WHEREAS, it is deemed advisable by the Highway Commission that the description and designation of said two highways in the state highway system conform to the designation as given to said highways in the Federal highway system;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission, all members being present and affirmatively voting, as follows:

1. That the first highway next above described shall be known and designated in the Oregon state highway system as Pacific Highway West, and that the second highway next above described shall be known and designated in the Oregon state highway system as Pacific Highway East.

2. That this resolution be entered in the minutes and records of the Highway Commission and that the Secretary of the Commission be and he is hereby instructed to transmit a duly certified copy thereof to W. H. Lynch, District Engineer for the United States Bureau of Public Roads.

The Engineer reported the sale on March 2, 1937, of the building known as Building "L" on the newly acquired Pacific Highway right of way in the city of Roseburg, to Mrs. Mary F. Matthews, Roseburg, who submitted the high bid of \$20 for same on February 18, 1937, the conditions of the sale having been satisfied. The Commission approved the sale of this building as reported.

The Engineer reported that reinforcements have been made to the bridge over the Coast Fork of the Willamette River on the Willamette Highway, in Lane County, and that the six-ton load limit heretofore in effect on this bridge is no longer required. He recommended that the reduced load limit be lifted but that the bridge be posted for one-way traffic for trucks inasmuch as the bridge is narrow and it would be hazardous for two trucks to pass on the bridge. The Commission approved the Engineer's recommendation and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, on the 1st day of July, 1932, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway bridge structure:

COAST FORK WILLAMETTE RIVER BRIDGE, No. 18-02.9, on the Willamette Highway, in Lane County.

WHEREAS, subsequent to the passage of said resolution the said bridge structure has been reinforced and repaired so that it is now capable of sustaining or supporting loads weighing up to the limit specified by law; and

WHEREAS, the Commission finds that it is no longer necessary or desirable to maintain the reduced load limit set out in said resolution on the said Coast Fork Willamette River Bridge, but that

it is necessary, because of the narrowness of the bridge roadway, to post said bridge for one-way traffic for trucks;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

COAST FORK WILLAMETTE RIVER BRIDGE, No. 18002.9, on the Willamette Highway in Lane County;

be and the same hereby is rescinded and cancelled as of this date, and the maximum load limit permissible on the said bridge structure hereafter shall be the maximum load limit provided by law; however, on account of the narrowness of the structure and the hazard that would be created by reason of trucks passing on the same, the said bridge shall be posted for one-way traffic for trucks and such posting shall consist of signs bearing the following words: "NARROW BRIDGE ONE-WAY TRAFFIC FOR TRUCKS", one of such signs to be erected at each end of said bridge structure. It is hereby ordered that a certified copy of this resolution be furnished to the County Clerk of Lane County, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Engineer also reported that due to the severe weather conditions this winter it has been necessary to post a number of state highways for reduced load limits. He asked the Commission to confirm these postings. After due consideration, the Commission approved the Engineer's request and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, the following roads or highways have been duly designated and declared to be and are state highways, and have been improved and are being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as state highways, to-wit:

MCKENZIE HIGHWAY	ROGUE RIVER LOOP SECONDARY HIGHWAY
FREMONT HIGHWAY	WILLIAMS SECONDARY HIGHWAY
THE DALLES-CALIFORNIA HIGHWAY	KLAMATH LAKE SECONDARY HIGHWAY
CRATER LAKE HIGHWAY	JOHN DAY HIGHWAY
GREEN SPRINGS HIGHWAY	MT. HOOD HIGHWAY
KLAMATH FALLS-LAKEVIEW HIGHWAY	REDWOOD HIGHWAY
SHERMAN HIGHWAY	OREGON CAVES HIGHWAY
OCHOCO HIGHWAY	SALMON RIVER HIGHWAY
PENDLETON-JOHN DAY HIGHWAY	WILLAMETTE HIGHWAY

AND WHEREAS, the said above-named state highways are in the judgment of the State Highway Commission being subjected to a kind and character of traffic which is damaging and injuring the said highways, and in order to protect said highways against such damage and injury it is deemed and is the judgment of the highway

Commission, and said Commission finds that it will be for the best interests of the said highways that the maximum weights permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has after due investigation determined and found, and it is the judgment of the Commission, that the maximum weights which shall be permitted upon the said roads shall be reduced and fixed as in this order provided.

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having as a result of due investigation found that the roads above mentioned and hereinafter designated are being damaged and injured on account of the kind and character of traffic now being hauled over and upon said roads, and by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said roads, and the Commission having found upon due investigation that it will be for the best interest of the said state highways that the maximum total weight of load and vehicle which shall be permitted upon said roads shall be reduced so as to conform to the requirements fixed in this order.

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named roads shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highways, to-wit:

MCKENZIE HIGHWAY from Springfield to Belknap Springs Road in Lane County;

FREMONT HIGHWAY from Paisley to the California State Line in Lake County;

THE DALLES-CALIFORNIA HIGHWAY from Lapine in Deschutes County to Klamath Falls in Klamath County;

CRATER LAKE HIGHWAY from Medford to Prospect in Jackson County;

GREEN SPRINGS HIGHWAY from its junction with the Pacific Highway in Jackson County to Klamath Falls in Klamath County;

KLAMATH FALLS-LAKEVIEW HIGHWAY from its junction with The Dalles-California Highway in Klamath County to Lakeview in Lake County;

SHERMAN HIGHWAY from Grass Valley in Sherman County to the junction with The Dalles-California Highway in Wasco County;

OCHOCO HIGHWAY from Redmond in Deschutes County to Prineville in Crook County;

PENDLETON-JOHN DAY HIGHWAY from its junction with the Oregon-Washington Highway at Nye to Ukiah in Umatilla County;

ROGUE RIVER LOOP SECONDARY HIGHWAY from Grants Pass to Eisman's Ranch in Josephine County;

WILLIAMS SECONDARY HIGHWAY from Grants Pass to the end of the oiled section (9.4 miles) in Josephine County;

KLAMATH LAKE SECONDARY HIGHWAY from Klamath Falls to Rocky Point in Klamath County;

JOHN DAY HIGHWAY from Prairie City in Grant County to its junction with the Baker-Unity Highway in Baker County;

MT. HOOD HIGHWAY from its junction with the Columbia River Highway southerly about 13 miles to Mt. Hood Postoffice in Hood River County;

REDWOOD HIGHWAY from its junction with the Pacific Highway near Grants Pass to the California State Line in Josephine County;

OREGON CAVES HIGHWAY from its junction with the Redwood Highway to Grayback Creek in Josephine County;

SALMON RIVER HIGHWAY from its junction with the McMinnville-Tillamook Highway at Valley Junction to Boyer;

WILLAMETTE HIGHWAY from its junction with the Pacific Highway at Goshen to the Middle Fork Willamette River Bridge three miles west of Oakridge in Lane County;

shall be as follows: The combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of the front axle of a truck or truck-tractor shall not exceed the product of four hundred (400) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of any one axle of a vehicle or combination of vehicles, other than the front axle of a truck or truck-tractor, shall not exceed the product of three hundred (300) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Chapter 360 of the Laws of Oregon for 1931, shall be in full force and effect from this date until modified, annulled or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of each of the above-named highways and at important crossroads on said highways, so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the county clerk of each county in which any of said highways are located, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

In this connection the Engineer advised that on February 25, 1937, he found it necessary to post the Sisters-Redmond Section of the McKenzie Highway and the Maupin-Klamath Falls Section of The Dalles-California Highway for a 50 per cent reduced load limit because of the condition of the roadbed on these sections, but on March 6, 1937, he ordered the reduced load limit signs to be taken down on the Sisters-Redmond Section of the McKenzie Highway and between Maupin and Lapine on The Dalles-California Highway because inspection revealed that these sections were sufficiently dry and stabilized to permit legal weight loads. The Commission, by unanimous vote, approved the Engineer's action in this matter.

The Engineer brought up for discussion the matter of paying the freight charges for moving the household goods of Mr. C. D. Cannon, Office Engineer for Division Engineer Lytle at Roseburg, who is being transferred from Roseburg to La Grande because of his ability as a radio engineer. He said that prices quoted by several trucking lines indicate that the move can be made at the rate of \$4.34 per cwt. and that at that rate Mr. Cannon estimates it will cost approximately \$260 to move his goods. The Engineer recommended that the State Highway Commission assume and pay 75 per cent of this cost, up to a maximum of \$200, because Mr. Cannon is being moved across the state under orders. The Commission approved the recommendation by unanimous vote.

The Commission approved the payment of \$350 to the American Association of State Highway Officials, representing Oregon's dues for the year 1937 in such association.

The Engineer reported that Converse and Hitchman, Seaside, have constructed, without permission from the State Highway Commission, a cable over

the right of way of the Wolf Creek Highway between Necanicum Junction and Elsie, for use in connection with their logging operations in this vicinity, and that he has ordered the company to remove the wires at once because they constitute a hazard to the traveling public and he did not believe that the Highway Commission would sanction them. The Attorney advised that he is in receipt of a letter from the company to the effect that their operations are about completed and will not extend longer than this week and requesting permission to maintain the cable over the highway in order to complete their work. The Commission approved the request on the condition that the company assume responsibility for injury to persons and damage to property that may result from the presence of the cable over the highway and the operation of the same, and on the further condition that the company will remove its cable at the end of this week.

In this connection the Engineer requested authority from the Commission to hereafter enjoin the use of such cables that may be constructed across state highways without permission from the Highway Department and/or in violation of the Commission's rules and regulations. The Commission approved the request by unanimous vote.

The Engineer reported that in accordance with authority previously granted him by the Commission he received bids on March 4, 1937, for painting the State Highway Department's offices in Salem in connection with the improvement of the lighting facilities and that six bids were received, that of F. O. Repine, Salem, being low, at \$352.00. The next low bid was that of R. E. Westphal, Salem, at \$390.00. He further stated that he accepted the low bid and awarded the contract on March 4, 1937, to Mr. Repine. The Commission confirmed the award of this contract to Mr. Repine at \$352.00.

The Engineer also reported that on March 9, 1937, he took bids for certain wiring work that was required to be done in connection with the improvement of the lighting facilities in the Highway Department's offices in Salem and received two bids therefor, that of Brownell Electric Company, Salem, being low at \$415.00; the other being that of Bosler Electric Company, Salem, at \$465.00. He said that he awarded the contract to Brownell Electric Company and asked the Commission to confirm the award. The Commission approved the award of this contract to Brownell Electric Company at their bid of \$415.00.

The Secretary presented a letter from the Inland Empire Waterways Association, Walla Walla, Washington, requesting the cooperation of the Oregon State Highway Commission in regard to the retention of the Bridge of the Gods and the Hood River Bridge upon completion of the Bonneville Dam project. They particularly requested a letter embracing the Commission's view on the subject and supporting their contention that the cost of altering these bridges to provide a vertical clearance to conform with the high water stage that will obtain upon completion of the dam be charged either to the Bonneville Dam project or to the improvement of the Columbia River Channel between Vancouver,

Washington, and Bonneville, Oregon. The Commission declined to take action as requested and ordered the communication filed.

The Commission also considered a communication from W. C. Markham, Executive Secretary, American Association of State Highway Officials, requesting a letter from the Commission stating its approval or disapproval of the plan to designate the I.O.N. Highway in Oregon as U. S. Highway Route No. 95. He pointed out that U. S. Highway No. 95 now terminates at Weiser, Idaho, and that the State of Nevada is anxious for the extension of this route across Oregon and Nevada. The Engineer advised that the designation of the I.O.N. Highway as U. S. Highway No. 95 is a proper designation, but, in his estimation, the numbering should not be shown on any of the maps until the road in Oregon has been completed and is open for travel, for reasons that are obvious. The Commission concurred in the Engineer's viewpoint and instructed him to so inform Mr. Markham.

The Secretary presented a resolution from the County Court of Klamath County urging the Commission to include in its program for railroad grade crossing eliminations, the elimination of the Main Street crossing of the Southern Pacific Company tracks in the city of Klamath Falls. The Engineer advised that he has already told the people of Klamath Falls that the Commission has tentatively included this project in the program, but, before definitely approving the same, must have information to the effect that right of way will be furnished free of cost to the state and that some other agency will pay the costs that cannot be paid with federal funds, inasmuch as this crossing is not on the state highway system. The Commission approved the Engineer's report.

A letter was presented from Mr. G. P. Hunter, Waldport, requesting permission to remove "smelt" sand from the ocean beach area south of Waldport for use in connection with local building projects involving concrete construction. The Commission denied the request as a matter of policy.

Letters were presented from the County Court of Columbia County and from John S. Foote, Attorney, St. Helens, in which the Commission was requested to revise its plans for the reconstruction of the Lower Columbia River Highway between Johnson's Crossing and Scappoose so as to avoid a certain cemetery through which it is now planned to relocate the road. It was their contention that the new highway should not miss the numerous homes and business establishments that have been built along the present route. The Engineer advised that the proper location for the highway is through the cemetery property but some difficulty is being encountered in securing the right of way. The Attorney advised that investigation reveals that one of the owners of the property needed is an insane person and he has finally located the party who has the authority to act for this person and he expects to have this right of way cleared up within the near future. The Commission indicated that it would not approve any change in the present routing through the cemetery unless absolutely necessary and instructed the Attorney to expedite the right of way matter to early conclusion.

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The Engineer brought up for discussion the matter of restoring the salaries of State Highway Department employees to the basic rates that were in effect in 1931 when the Legislature ordered salaries of all state employees reduced. He explained that the 1937 Legislature which has just adjourned did not enact legislation requiring the continuance of the reduced salaries, do the Commission could, if they so desired, restore the salaries to the 1931 base. After discussion the Commission voted unanimously to restore the salaries of highway department employees to the basic rates in effect in 1931, such restoration to be effective as of March 1, 1937, and subject to the approval of Governor Martin and the State Budget Officer.

The Engineer also brought up for discussion the matter of adjustment of rates of pay of shop employees and field crews whose services are now paid on an hourly basis. He recommended the standardization of pay for section foremen at \$120 per month and that the wage of common laborers be increased from 45 cents per hour to 50 cents per hour. He explained that the proposed increases would total about \$52,000 annually, of which amount approximately 80 per cent represents the increase in labor wages from 45 cents to 50 cents per hour. He also explained that the increase will return labor wage to approximately what it was in 1929. He presented schedules of the proposed wage adjustments referred to, which the Commission carefully studied. The following rates were adopted by the Commission by unanimous vote, as of March 1, 1937:

## WAGE SCHEDULE "A"

SECTION MAINTENANCE CREWS

<u>Classification</u>	<u>Rate</u>
Section Foreman	\$120.00 per month
Section Foreman's Helper	.60 per hour
Laborers	.50 " "
Truck Drivers (1½ ton or less)	.50 " "
Truck Drivers (over 1½ ton)	.55 " "
Motor Grader Operator	.55 " "
Pull Type Grader Operator	.50 " "
Traveling Motor Grader Operator	.60 " "
Bulldozer Operator	.85 " "
*Rotary Snow Plow Operator	.65 " "
*Rotary Snow Plow Helper	.55 " "
Man, Team and Mower	.90 " "
Teams (per head)	.20 " "

\*Except where shop employees are assigned, in which case they will receive their regular shop rate if in excess of the rate shown above.

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## WAGE SCHEDULE "B"

EXTRA GANGS

(Other than Oiling or Plant Patching)

<u>Classification</u>	<u>Rate</u>
Foreman (Large Crew)	\$150.00 per month
Working Foreman (Small Crew)	.60 per hour
Crane Operator	1.00 " "
Shovel Operator	1.00 " "
Pitman	.50 " "
Loader Operator	.65 " "
*Rotary Snow Plow Operator	.65 " "
*Rotary Snow Plow Operator's Helper	.55 " "
Mechanic	.70 " "
Tractor Operator (Two ton or over)	.65 " "
Tractor Operator (Under two ton)	.50 " "
Truck Driver (1½ ton or less)	.50 " "
Truck Driver (over 1½ ton)	.55 " "
Motor Grader Operator	.55 " "
Pull Type Grader Operator	.50 " "
Bulldozer Operator	.85 " "
Rollerman	.65 " "
Flagman	.50 " "
Laborers	.50 " "
Teamsters	.50 " "
Man, Team and Mower	.90 " "
Teams, per head	.20 " "
Blacksmith	.65 " "
Pumpman	.50 " "
Carpenter	.65 " "
Powderman	.70 " "
Painter	.55 " "
Jackhammer Man	.65 " "
Miner	.65 " "
Miner's Helper	.50 " "
Stone Masons	.80 " "
Stone Mason's Helper	.55 " "
Rock Driller	.50 " "

\* Except when shop employees are assigned, in which case they will receive their regular shop rate if in excess of the rate shown here.

## WAGE SCHEDULE "C"

PAVING PLANT CREWS

<u>Classification</u>	<u>Rate</u>
General Foreman	\$215.00 per month
Timekeeper	145.00 " "

PAVING PLANT CREWS (continued)

<u>Classification</u>	<u>Rate</u>
Street Foreman	\$170.00 per month
Watchman	115.00 " "
Plant Foreman	.70 per hour
Laborer	.50 " "
Truckdriver	.55 " "
Rollerman	.70 " "
Raker	.70 " "
Shoveler	.55 " "
Burnerman (Street)	.55 " "
Paintman	.55 " "
Flushcoater	.55 " "
Tamperman	.50 " "
Flagman	.50 " "
Kettleman	.55 " "

## WAGE SCHEDULE "D"

OILING CREWS

<u>Classification</u>	<u>Rate</u>
General Foreman	\$215.00 per month
Surface Foreman	170.00 " "
Timekeeper	145.00 " "
Assistant Timekeeper	115.00 " "
Boilerman	145.00 " "
Retort Operator	170.00 " "
Night Watchman	115.00 " "
Spotting Foreman	.65 per hour
Shovel Operator	1.00 " "
Pitman	.50 " "
Loader Operator	.65 " "
Mechanic	.75 " "
Tractor Operator (Broom Power)	.55 " "
Truck Driver (1½ ton or less)	.55 " "
Truck Driver (Over 1½ ton)	.60 " "
Truck Driver (Oilers and Tenders)	.65 " "
Motor Grader Operator	.65 " "
Blademan (Pull Grader)	.60 " "
Rollerman	.65 " "
Leverman	.65 " "
Flagman	.50 " "
Pilot Car Driver	.50 " "
Laborers	.50 " "

## WAGE SCHEDULE

## STATE HIGHWAY SHOPS

Classification	Rate
Machinist Working Foreman	\$ .80 per hour
Machinist	.75 " "
Mechanic (1st Class)	.75 " "
Mechanic (2nd Class)	.70 " "
Mechanic Helper	.60 " "
Electrician	.75 " "
Blacksmith Working Foreman	.75 " "
Blacksmith	.70 " "
Blacksmith Helper	.60 " "
Welder	.70 " "
Carpenter Working Foreman	.75 " "
Carpenter	.70 " "
Trimmer	.70 " "
Painter	.60 " "

## WAGE SCHEDULE

## BRIDGE MAINTENANCE CREWS

Classification	Rate
Bridge Superintendent	\$200.00 per month
Bridge Foreman	165.00 " "
Assistant Bridge Foreman	135.00 " "
Carpenter	.70 per hour
Assistant Carpenter	.60 " "
Bridgeman	.55 " "
Pile Driver Operator	.85 " "
Assistant Pile Driver Operator	.65 " "
Truck Driver (1½ ton or less)	.50 " "
Truck Driver (over 1½ ton)	.55 " "
Laborer	.50 " "
Stone Mason	.80 " "
Painter	.70 " "
Bridge Operator (1st Class)	140.00 per month
Bridge Operator (2nd Class)	115.00 " "
Bridge Operator (3rd Class)	70.00 " "
Relief Bridge Operator (Relieving 1st Class and 2nd Class Operators)	100.00 " "

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## WAGE SCHEDULE

## SIGN DEPARTMENT

Classification	Rate
Sign Shop	
Sign Shop Foreman	\$140.00 per month
Working Foreman	120.00 " "
Clerk	110.00 " "
Sign Painter	.65 per hour
Painter	.55 " "
Sign Crew	
Sign Crew Foreman	140.00 per month
Sign Crew Helper	95.00 " "
Traffic	
Line Crews	
Line Crew Foreman	150.00 per month
Head Lineman	.55 per hour
Paint Machine Operator	.60 " "
Lineman	.50 " "

The Commission considered the matter of change in grade of the Pacific Highway through the town of Halsey, necessitated by the proposed reconstruction of this highway, bids for which were taken by the Commission on February 18, 1937. The Engineer advised that the city officials of Halsey object to the proposed new grade line, which is about 2½ feet higher than the present grade line, and have refused to adopt an ordinance with respect to the change in grade so the project can not proceed as planned. He also said that the proposed grade line will provide for a better improvement but is not absolutely required, and recommended, in view of the circumstances, the lowering of the grade line 2½ feet for about 1,000 feet through this town which, he said, the city would approve. The Commission approved the recommendation by unanimous vote.

The Commission had under consideration the programming of federal funds that are available for the fiscal year 1938 consisting of the following amounts:

	Federal Funds	State Cooperative Funds
Regular Federal Aid funds	\$ 2,092,368.00	\$ 1,507,632.00
Secondary or Feeder Road funds	418,474.00	301,526.00
Railroad Grade Separation funds	* 1,176,754.00	* 143,246.00
Federal Lands Highway funds	168,367.00	78,633.00
TOTALS	* \$ 3,855,963.00	* \$ 2,031,037.00

\* includes Railroad Grade Separation funds provided for the fiscal year 1939.

The Commission considered and by unanimous vote approved the following summary of tentative allotments of such funds by divisions:

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## SUMMARY OF TENTATIVE ALLOTMENTS BY DIVISIONS

Division No.	Reg. Fed. Aid Amount	%	Secondary Hrvs. Amount	%	Grade Separations Amount	%	Fed. Lands Hrvs. Amount	%
1 & 2	\$1,692,000	47.0	\$ 86,000	-	\$ 645,000	50.0	\$ -	-
3	648,000	18.0	30,000	-	185,000	14.4	-	-
4	522,000	14.5	35,000	-	270,000	20.9	92,000	37.2
5	738,000	20.5	40,000	-	190,000	14.7	155,000	62.8
Not Allocated Planning Survey & Crossing Signals			\$181,000 539,000		\$1,290,000	100.0		
Total	\$3,600,000	100.0	\$720,000	-	\$1,320,000		\$247,000	100.0
Federal Allocation State Match Funds	\$2,092,368		\$110,000		\$1,176,754		\$168,367	
State, Participating	1,323,185		71,000		-		6,000	
State, Non-participating	184,447		-		143,246		72,633	
Not Allocated	-		539,000		-		-	
Total	\$3,600,000		\$720,000		\$1,320,000		\$247,000	

The Engineer then submitted a list of eligible and desirable projects for each class of funds from which the Commission, after careful study, selected certain projects as a basis for partial programs that are to be submitted to the Bureau of Public Roads for approval. The Engineer was authorized to send a list of the selected projects to the Bureau of Public Roads for such approval.

The Commission also selected tentatively certain additional projects but deferred definite action thereon pending further consideration and study. The Engineer was instructed not to submit these particular projects to the Bureau of Public Roads until the Commission has taken final action thereon.

There follows a list of approved projects for each class of the funds available as approved by the Commission by unanimous vote. The star (\*) preceding the name of the project indicates that approval of the same is tentative only and that it is not to be submitted to the Bureau of Public Roads until the Commission so orders. These programs represent approximately 100 per cent of the Regular Federal Aid funds; 100 per cent of the Railroad Grade Separation funds; 100 per cent of Federal Lands Highway funds; and 25 per cent of the Secondary or Feeder Road funds. Additional partial programs are to be submitted to the Bureau of Public Roads for approval when the Commission has definitely selected the projects for the same.

## TENTATIVE 1938 REGULAR FEDERAL AID PROGRAM

Highway	Project	Estimated Cost
DIVISION NO. 1 & 2		
Pacific	Oregon City (11th to 5th & Main Sts.) Paving and Bridge	\$ 160,000
Columbia River	Scappoose-Columbia County Line, Grading and Paving	100,000
West Side Pac.	Middleton-Votaw, Grading and Paving	80,000
West Side Pac.	Lafayette, Paving	30,000
Oregon Coast	Astoria Line Change and Pavement, Grading and Paving (2 Units)	50,000
Oregon Coast	Short Sand Beach Creek, Grading	100,000
Oregon Coast	Lake Lytle Bridge	10,000
Santiam	Lamb Creek-Glissade Creek, Grading	115,000
McMinn.-Till.	Muddy Creek-Pringle Ranch, 2.8 mi. Grading and Paving	150,000
Wolf Creek	Wolf Creek Bridges (3 small bridges)	50,000
(continued)		

\* Projects marked thus (\*) are only tentatively approved by the Commission and are not to be included in the partial program to be submitted to the United States Bureau of Public Roads at this time.

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TENTATIVE 1938 REGULAR FEDERAL AID PROGRAM

Highway	Project	Estimated Cost
<u>DIVISION NO. 1 &amp; 2</u> (continued)		
Wolf Creek	Quartz Creek Bridge	\$ 170,000
- -	*Portland Projects	245,000
Pacific	*Salem-South, Grading and Paving	130,000
Pacific	*Halsey-South, Grading and Paving	100,000
Columbia River	*Troutdale-Dodson, Dredge and Riprap	160,000
- -	*Planning	25,000
- -	*Roadside Improvement	17,000
Total, Division Nos. 1 & 2		\$ 1,692,000

<u>DIVISION NO. 3</u>		
Pacific	Siuslaw Junction-Awbrey, 4.57 mi. Grading	\$ 90,000
Pacific	Ross Station-Arvard, 2.0 mi. Paving	60,000
Pacific	Turkey Hill-Chenoweth Park, 1.13 mi. Grading and Paving	65,000
- -	- -	15,000
Pacific	Sardine Creek Bridge	145,000
Pacific	Talent-Bear Creek, Grading and Paving	135,000
Pacific	South Unit, Siskiyou Summit-California Line (Bear Canyon-California Line) 1.4 mi. Grading	20,000
Pacific	*Hill Creek Bridge	101,800
Oregon Coast	*Marshfield-South, Grading and Paving	9,720
- -	*Planning	6,480
- -	*Roadside Improvement	
Total, Division No. 3		\$ 648,000

<u>DIVISION NO. 4</u>		
Central Oregon	Horse Ridge-Brothers, Surface and Oil	\$ 100,000
Fremont	Summer Lake-Chalk Cliff, 14.5 mi. Surface and Oil	123,000
Ochoco	Mill Creek-Marks Creek, Grading and Surfacing	100,000
Sherman	Shaniko, Resurface and Oil	55,000
The Dalles-Cal.	*Modoc Point-North, Unit No. 2, Grading	130,950
- -	*Planning	7,830
- -	*Roadside Improvement	5,220
Total, Division No. 4		\$ 522,000

\* Projects marked thus (\*) are only tentatively approved by the Commission and are not to be included in the partial program to be submitted to the United States Bureau of Public Roads at this time.

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TENTATIVE 1938 REGULAR FEDERAL AID PROGRAM

Highway	Project	Estimated Cost
<u>DIVISION NO. 5</u>		
John Day	Flat Creek-Gisler Ranch, Regrade and Oil	\$ 100,000
John Day	North Fork of John Day River, Bridge and Approaches	65,000
John Day	Kinzua Junction-Butte Creek Ranch, Grading, Surfacing and Oil Rock	35,000
Old Ore. Trail	Stanfield-Pendleton, Surfacing and Oiling	200,000
Old Ore. Trail	North Powder-Haines, Grading, Surfacing and Oiling	171,940
Central Oregon	Burns-Buchanan, 22 mi. Surfacing and Oiling	150,000
- -	*Planning	8,680
- -	*Roadside Improvement	7,380
Total, Division No. 5		\$ 738,000

\* Projects marked thus (\*) are only tentatively approved by the Commission and are not to be included in the partial program to be submitted to the Bureau of Public Roads at this time.

TENTATIVE 1938 SECONDARY OR FEEDER ROAD PROGRAM  
Represents approximately 25 per cent of available funds

County	Highway	Project	Estimated Cost
<u>DIVISION NOS. 1 &amp; 2</u>			
Clatsop	Nehalem	Klaskanine Summit-Jewell, 12.35 mi. Oil	\$ 26,000
Columbia & Washington	Nehalem	Treharne-Buxton, 11.5 mi. Oil	31,000
Washington	Nehalem	Davies-Banks, 1.4 mi. Oiling	4,000
Linn	Halsey-Sweet Home	Crawfordsville-Holley, 7 mi. Oiling	25,000
Total, Division Nos. 1 & 2			\$ 86,000
<u>DIVISION NO. 3</u>			
Josephine	Rogue River Loop	Rogue River Loop, 2.5 mi. Surfacing and Oiling	\$ 15,000
Jackson	Little Butte	Eagle Point-Brownsboro, 3 mi. Surfacing and Oil Rock	15,000
Total, Division No. 3			\$ 30,000

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TENTATIVE 1938 SECONDARY OR FEEDER ROAD PROGRAM  
(continued)

County	Highway	Project	Estimated Cost
<u>DIVISION NO. 4</u>			
Hood River	Hood River	Jericho Lane-Odell Junction, Grading, Surfacing and Oiling	\$ 15,000
Lake	Warner	Adel-North, 10 mi. Grading and Surfacing	10,000
Total, Division No. 4			\$ 25,000
<u>DIVISION NO. 5</u>			
Union	Cove	Grande Ronde River-East, Grading, Surfacing and Oil Rock	\$ 25,000
Umatilla	Hermiston-Cold Springs	Hermiston-Columbia School, 3 mi. Surfacing and Oiling	15,000
Total, Division No. 5			\$ 40,000

TENTATIVE 1938-1939 GRADE SEPARATION PROGRAM

Highway	Railroad	Project	Estimated Cost
<u>DIVISIONS NO. 1 &amp; 2</u>			
Pacific	U. P. and S. P. & S.	Union Ave. Crossing (Portland) Union Pac. S. P. & S.	\$35,000 35,000 \$ 70,000
West Side Pac.	Sou. Pac.	McMinnville Relocation	130,000
Pacific	Sou. Pac. & Ore. Elect.	Albany Overcrossing	Sou. Pac. \$ 200,000 Ore. Elect. 50,000 250,000
Columbia River	Union Pac.	*Troutdale Overcrossing	125,000
**Columbia Blvd.	Union Pac.	*Columbia Blvd. Relocation (Portland)	70,000
Total, Divisions No. 1 & 2			\$ 645,000

\*\* Approval dependent on outcome of consultation with Portland City Commission.

\*Projects marked thus (\*) are only tentatively approved by the Commission and are not to be included in the partial program to be submitted to the United States Bureau of Public Roads at this time.

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TENTATIVE 1938-1939 GRADE SEPARATION PROGRAM  
(continued)

Highway	Railroad	Project	Estimated Cost
<u>DIVISION NO. 3</u>			
Pacific	Sou. Pac.	*Wilbur	\$ 120,000
Coos River Sec.	Sou. Pac.	Bunker Hill (Marshfield)	65,000
Total, Division No. 3			\$ 185,000
<u>DIVISION NO. 4</u>			
The Dalles-Cal.	Ore. Trunk	*Bend (Third Ave.)	\$ 90,000
** " " "	S. P. & G. N.	*Klamath Falls	Sou. Pac. \$65,000 G. N. 35,000 100,000
" " "	Sou. Pac.	*Lobert	80,000
Total, Division No. 4			\$ 270,000

\*\*Approval dependent on outcome of consultation with Klamath Falls City Council

<u>DIVISION NO. 5</u>			
Old Ore. Trail	Union Pac.	Ontario	\$ 190,000
Planning Survey and Grade Crossing Signals			30,000

\* Projects marked thus (\*) are only tentatively approved by the Commission and are not to be included in the partial program to be submitted to the United States Bureau of Public Roads at this time.

TENTATIVE 1938 FEDERAL LANDS HIGHWAY PROGRAM

Highway	Project	Total Estimated Cost	Federal Lands Portion
<u>DIVISIONS NO. 1 &amp; 2</u>			
None		\$ - -	\$ - -
<u>DIVISION NO. 3</u>			
None		\$ - -	\$ - -

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TENTATIVE 1938 FEDERAL LANDS HIGHWAY PROGRAM  
(continued)

Highway	Project	Total Estimated Cost	Federal Lands Portion
<u>DIVISION NO. 4</u>			
Warm Springs	Miller Flat-Agency Section, 1.1 mi. Grading	\$ 42,000	\$ 42,000
Central Oregon	Lake Co. Line-Gap Ranch, 7 mi. Surfacing	50,000	50,000
Total, Division No. 4		\$ 92,000	\$ 92,000

<u>DIVISION NO. 5</u>			
I. O. N.	East Unit, Jordan Creek Section (Federal Lands Portion) 10.29 mi. Grading	\$ 82,400	\$ 76,367
I. O. N.	East Unit, Jordan Creek Section (Private Lands Portion) 6.02 mi. Grading	39,600	--
I. O. N.	Bridge on Private Lands Portion	33,000	--
Total, Division No. 5		\$155,000	\$ 76,367

The Commission considered and signed agreements, et cetera, as follows:

Contract agreement with Brownell Electric Company, Salem, covering electrical wiring needed in connection with the improvement of the lighting in the Highway Department offices in Salem.

Contract agreement with F. O. Repine, Salem, covering painting of the ceiling and walls of the Highway Department offices in Salem in connection with improvement of the lighting facilities in these offices.

Agreement with I. B. Lindeman and wife covering the matter of acquisition of right of way and payment for damages to their property at Rainier resulting from state highway improvement.

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Bargain and Sale deed conveying unto Mary L. Pargeter, Roseburg, certain state-owned property in Roseburg outside of the limits of the standard width right of way which was recently acquired for relocating the Pacific Highway at this place.

Quitclaim deed conveying unto the City of North Bend the old ferry landing site on the south side of Coos Bay.

There being no further business to come before the Commission, the meeting was adjourned at 1:00 o'clock p. m.

*[Signature]*  
State Highway Engineer

*[Signature]*  
Secretary

*[Signature]*  
Chairman

*[Signature]*  
Commissioner

*[Signature]*  
Commissioner

Portland, Oregon, March 24, 1937.

The State Highway Commission met in special session at 8:00 o'clock p. m. in the Orchid Room of the Old Heathman Hotel. Present were:

E. B. Aldrich, Commissioner  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
J. M. Devers, Attorney  
H. B. Glaisyer, Secretary

Chairman Henry F. Cabell arrived at 9:30 o'clock.

A delegation from Portland, representing the Metropolitan Association and business interests, was present and urged the Commission to construct what is known as Foothills Boulevard. This delegation was headed by Mr. William F. Woodward and included the following: L. B. Shaver, representing the United States National Bank; Fred R. Strong; Victor Jorgenson; Scott Lee, representing the Standard Oil Company; Dr. S. C. Wade; Gerald Beebe, representing the Beebe Company; H. P. Rogers, representing Dean Vincent Corporation; Lee C. Stidd, representing the First Federal Savings and Loan Association; J. N. Bateman, representing the Union Oil Company; and W. E. Gelinsky, representing the Gelinsky Company.

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Mr. Woodward urged the construction of a west side arterial highway as soon as funds from state and federal sources will permit. He said that there are now no connections between any of the state highways that enter the city of Portland and suggested that the Highway Commission apply the remedy and initiate the program; that the people of Portland will not do it, so it is entirely up to the State Highway Commission. He also said that the people of Portland, in his estimation, should not be asked to contribute funds for such an arterial highway because they consider such arteries to be of state-wide importance.

Mr. Strong concurred in the remarks of Mr. Woodward. He said that the State Highway Commission is the proper body to solve this problem; that the distribution of the traffic that the state is dumping into the city is not being cared for; and, inasmuch as the state is responsible for this traffic, it should also be responsible for the solution of the traffic problem within the city limits.

Mr. Rogers gave a brief resume of financial investigations of the west side district that he has recently completed. He referred to the large amount of traffic that enters the city of Portland from state highways and declared that such traffic, under present conditions, is only able to filter through the city, which emphasizes the importance and need of arterial street connections. It was his thought that the best place for a north and south arterial street is along Front Street and that such location would best serve the west-side property interests. He further stated that his investigations reveal that properties in the Front Street district now pay taxes in the amount of 36 per cent of the assessed valuation and that the gross income of property along the Portland waterfront east of Third Street is only 5.8 per cent of the assessed valuation of the property. The result of these investigations, he said, reveals that this district is absolutely unable to pay for any arterial highway improvements. He further stated that, in his estimation, the users of the highways and automobile owners should pay for such improvements because they are the ones who would benefit most by them. He concluded his remarks by saying that the city of Portland is entitled to a return of at least a portion of the moneys that it pays into the state highway fund.

Mr. Shaver stated that his bank is in accord with the Metropolitan Association's program for the relief of the present condition of traffic congestion.

Mr. Lee stated that the Standard Oil Company is interested in an orderly program that will expedite the movement of traffic and decrease accidents and traffic congestion. He also stated that the Standard Oil Company wants to cooperate in every way because it is particularly interested in anything that will help out its fellow citizens.

Mr. Bateman declared that existing traffic congestion must be eliminated and that a way must be found to overcome this problem. He emphasized the need for safety provisions in transporting oil products because of the hazards incident to the transportation of such products. He gave as his opinion that the need for the relief of traffic congestion in Portland is not a

local concern but is of state-wide importance; in fact, is most important from the standpoint of traffic that enters Oregon and Portland from other states. He also said that businessmen of Portland want and need a speedy route through Portland's congested area.

Mr. Beebe endorsed the remarks of the other speakers. The need for the improvement, he said, is obvious. He pointed out that traffic along the waterfront is very heavy and is increasing continually.

Mr. Jorgenson stated that he is a property owner and has paid many thousands of dollars as assessments for the construction of Portland's sea wall along the waterfront but as yet has not received any benefits therefrom and he is now looking for the state to conduct the improvement under discussion, which, in his belief, will be of great help.

Mr. Stidd declared that the people of Portland's west side district face a terrific handicap because of prevailing traffic congestion, there being no well-defined route through this district for through traffic.

Mr. Gelinsky stated that he is the owner of a meat packing plant and owns property at Front and Washington Streets, including a boat landing for which he used to secure a rental of \$100 per month, but now is glad to get even \$50 per month. He said that he has paid more than \$10,000 in assessments for the construction of Portland's sea wall but has received no benefits therefrom. He urged construction of the waterfront highway and referred to Michigan Boulevard in Chicago which he said was the direct cause of increasing property values 30 per cent. Similar conditions prevail in Portland, he added, and, in his estimation, property values will increase if an arterial route is constructed along the waterfront.

Mr. Woodward at this point mentioned the Burnside Street improvement. He declared that the city of Portland has received very little value from this improvement as yet and will not receive benefits therefrom until arterial highway connections have been constructed across the west side business district.

Dr. Wade spoke in behalf of the property owners in the west side residence district. He said that the people of Portland appreciate the highways that the State Highway Commission has constructed into Portland, but, in his estimation, the Commission has been too good and has "killed" the city by its kindness. The people of Portland, he said, are seeking relief from the traffic congestion which has been created by the State Highway Commission; they are not presuming to tell the Commission what to do about the matter but are willing to leave that up to the Commission and its engineers.

Mr. Woodward concluded the presentation by asking the State Highway Commission to authorize the Engineer to undertake studies with the view in mind of providing a solution of this problem. He said that they will follow the advice and counsel of the Commission's engineers and will be satisfied with any program that the Highway Commission arranges to that end. He declared that the city of Portland cannot and will not approve the raising of funds by assessment to finance this proposed improvement, so it is up to the state to provide the funds if the work is to go ahead.

Commissioner Aldrich advised that the chief obstacle in the way of undertaking this project is the right of way. He pointed out that the right of way within the city of Portland is very costly and that the Commission has available for such purpose only a limited amount of funds; also, that moneys received from the Federal Government are not applicable for the purchase of right of way. He further advised that the Highway Commission has under contemplation other worthy projects which are major in character, such as construction of the new highway up the Columbia River between Portland and The Dalles, which are very important and for which no right of way has as yet been obtained. He said that the Commission realizes that something should be done to relieve the traffic congestion in Portland but the question arises what is to be done and how is it to be done in view of the expense thereof.

The Engineer explained the status of the state highway revenues and the need to conserve the highway funds as much as possible in order to secure as much as possible of the federal funds that have been apportioned to the State of Oregon. He said that the Commission is not in a position financially to secure all of the federal moneys that are provided for this year because of existing obligations, but hopes to be able to do so next year, so that none of the federal moneys will be lost on account of the inability of the state to match them as is required by the federal rules and regulations. He said that the Commission could not, at this time, spend a great amount of money for expensive right of way in Portland without jeopardizing its chances of securing the funds that have been provided by the Federal Government.

Chairman Cabell arrived at the meeting at this time and the discussion carried on prior to his arrival was explained briefly. He concurred in the views of the Commission as heretofore explained by Commissioner Aldrich and advised that the Commission realizes that the city of Portland is in need of highway connections, but, in fairness to the people of the state as a whole, there appears to be no immediate remedy in sight, from the state's standpoint.

Mr. Woodward concluded the discussion by again asking the Commission to at least make a start on the project by laying out its plans so that no delays will be encountered from that standpoint when the time is propitious for carrying on construction.

A delegation from Astoria, consisting of Messrs. Merle Chessman, Editor of the Astoria Budget; County Judge Guy Boyington; James O. Conwill, City Manager; Walter Nelson, Secretary of the Chamber of Commerce; and Dixie Moore, President of the Oregon Coast Highway Association, came before the Commission in regard to the establishment of free ferry service across the mouth of the Columbia River between Astoria and Megler, Washington. Mr. Chessman headed the group. He advised that the Legislature of the State of Washington, which has just adjourned, passed a bill authorizing its highway officials to arrange with the State of Oregon for the establishment of such free ferry service, and funds have been provided to pay the cost of the service; so there is now no legal impediment to the inauguration of such free service inasmuch as Oregon already has a similar law. He urged the Commission to make definite arrangements with the Washington officials for the taking over of this ferry service at an early date so that benefits therefrom may be enjoyed during the 1937

tourist season. In answer to an inquiry as to whether or not objections were offered by anyone in the State of Washington to the state entering into service of the kind, Mr. Chessman stated that the principal objection was offered by the Blackball people who operate ferry service in the Puget Sound district; and it was naturally opposed by the people of Kelso and Longview who would be directly affected by the operation of free ferry service across the Columbia River at Astoria. He referred to the report of the Assistant State Highway Engineer, Mr. C. B. McCullough, on this subject, and especially that portion thereof which refers to the cost and expense of operating free ferry service at this place. He pointed out that, according to Mr. McCullough, there are three alternatives, one of which involves the maintenance of free service for 13 or 14 hours daily at a cost of approximately \$40,000 per year; the second involves 16-hour service daily at a cost of approximately \$51,000 per year; and the third involves 16-hour service, supplemented with auxiliary service 8 hours daily for 6 months, at an estimated cost of \$65,000 per year. Relative to direct facilities at the Astoria side of the river, he said that the city of Astoria owns the property on which is located the present ferry dock. He gave as his thought that it might be better to discontinue the dock at this point because of traffic congestion and to re-establish it at a point near Fifteenth Street on property that is owned by Clatsop County. The dock on the Washington side of the river, he said, is located on privately owned property. In regard to the present ferry schedule, Mr. Chessman advised that during the winter months the present ferry makes eight trips a day, the first trip being at 7:30 o'clock a. m. and the last at 5:30 o'clock p. m.; but during the summer months a regular schedule of 14 trips per day is maintained, starting at 7:00 o'clock a. m. and continuing until 8:00 o'clock p. m.

After considerable discussion, during which the Commission indicated a favorable attitude to the establishment of such free ferry service, it was agreed by all that the first step in the proceedings should be to discuss the matter with Mr. Lacey V. Murrow, Director of Highways of the State of Washington and ascertain his ideas on the subject. The Engineer was instructed to arrange such conference with Mr. Murrow at an early date.

The Commission had under discussion the matter of acquisition of right of way for the Wolf Creek Highway across the holdings of the Western Timber Company and the Oregon American Lumber Company in Clatsop County and the timber standing on such right of way, concerning which there is a difference of opinion between the Commission and the owners of the same and the Sunset Logging Company, which is marketing the timber on the Western Timber Company's holdings. In this connection the Commission discussed the report of Mr. Nonda Anderson who was retained by the Commission to inspect the timber and render a report as to the value thereof and the methods and cost to log the same. The Attorney advised that Mr. Anderson is well qualified to render such report because of his experience in timber matters, having worked for years in the Coos Bay district and is thoroughly familiar with logging operations. Mr. Anderson was present and submitted a report in writing (see two reports dated March 24, 1937, directed to Mr. Devers). The reports were discussed in detail and Mr. Anderson's views and conclusions contained therein were adopted by the Commission by unanimous vote. The Commission ordered that offers be made to the companies involved on the basis of Mr. Anderson's report

and that such offers be made in writing and the companies be informed that the offers are final and that the Commission will take the matter to court in the event the companies do not accept them.

The Engineer requested authority to purchase the following equipment:

10 new pickup trucks, estimated cash outlay \$5,550 (includes trading in 5 cars and 5 pickup trucks as part purchase price);

7 additional pickup trucks, estimated to cost \$4,200;

25 light-weight trucks at \$825;

1 portable 3-inch centrifugal self-priming pump, 400 gallons per minute capacity, estimated cost \$300.

After due consideration the Commission approved the Engineer's request by unanimous vote and authorized him to purchase the equipment on requisition in the customary manner through the State Purchasing Agent.

The Commission discussed the matter of designating as a secondary state highway the county road which extends from the town of Joseph to the head of Wallowa Lake, in Wallowa County, and it was decided to put this road on the secondary highway system if the Wallowa County Court will request the same by formal resolution. It was also decided that the road should be rocked and oiled, the rocking work to be done this fall and the oiling work to be done next year; and, in the meantime, that the road should be maintained by the state as a secondary state highway. (This matter was reconsidered by the Commission later in this session, at which time the Commission adopted a resolution designating this road as a secondary state highway.)

The Engineer reported that some of the roads on which reduced load limits have been in effect for the past several weeks have sufficiently dried out and that they are now able to withstand loads weighing up to the limits specified by statute. He submitted a list of such roads and recommended that the reduced load limits be lifted. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the seventeenth day of February, 1937, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway:

PENDLETON-COLD SPRINGS HIGHWAY between its junction with the Columbia River Highway near Cold Springs and its junction with the Old Oregon Trail near Pendleton, in Umatilla County;

and

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WHEREAS, on the tenth day of March, 1937, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highways:

CRATER LAKE HIGHWAY from Medford to Prospect in Jackson County;

GREEN SPRINGS HIGHWAY from its junction with the Pacific Highway in Jackson County to Klamath Falls in Klamath County;

SHERMAN HIGHWAY from Grass Valley in Sherman County to the junction with The Dalles-California Highway in Wasco County;

ROGUE RIVER LOOP SECONDARY HIGHWAY from Grants Pass to Eisman's Ranch in Josephine County;

WILLIAMS SECONDARY HIGHWAY from Grants Pass to the end of the oiled section (9.4 miles) in Josephine County;

REDWOOD HIGHWAY from its junction with the Pacific Highway near Grants Pass to the California State Line in Josephine County;

OREGON CAVES HIGHWAY from its junction with the Redwood Highway to Grayback Creek in Josephine County;

and

WHEREAS, subsequent to the passage of said resolutions conditions have changed so that it is now no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limits set out in said resolutions on the said state highways;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

PENDLETON-COLD SPRINGS HIGHWAY between its junction with the Columbia River Highway near Cold Springs and its junction with the Old Oregon Trail near Pendleton, in Umatilla County;

CRATER LAKE HIGHWAY from Medford to Prospect in Jackson County;

GREEN SPRINGS HIGHWAY from its junction with the Pacific Highway in Jackson County to Klamath Falls in Klamath County;

MAR 24 1937

SHERMAN HIGHWAY from Grass Valley in Sherman County to the junction with The Dalles-California Highway in Wasco County;

ROGUE RIVER LOOP SECONDARY HIGHWAY from Grants Pass to Eisman's Ranch in Josephine County;

WILLIAMS SECONDARY HIGHWAY from Grants Pass to the end of the oiled section (9.4 miles) in Josephine County;

REDWOOD HIGHWAY from its junction with the Pacific Highway near Grants Pass to the California State Line in Josephine County;

OREGON CAVES HIGHWAY from its junction with the Redwood Highway to Grayback Creek in Josephine County;

be and the same hereby is rescinded and cancelled as of this date, and the maximum load limit permissible on the said sections of the said highways hereafter shall be the maximum load limit provided by law; and it is further ordered that a certified copy of this resolution be furnished to the county clerk of each county in which said highways are located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Engineer also reported that the condition of the Salmon River Highway, on which a 50% reduced load limit has been in effect since March 8, 1937, has improved to such an extent that the road is now capable of carrying heavier loads than were specified in the Commission's order. He recommended that the reduced load limit be modified to permit the transportation of loads up to 75% of the weight limit specified by statute. The Commission approved the Engineer's recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the tenth day of March, 1937, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway:

SALMON RIVER HIGHWAY from its junction with the McMinnville-Tillamook Highway at Valley Junction to Boyer;

and

WHEREAS, it now appears that conditions have changed and the Commission now finds that it is no longer necessary to maintain

or impose the said reduced load limit to the extent fixed in said order and resolution with respect to the said

SALMON RIVER HIGHWAY from its junction with the McMinnville-Tillamook Highway at Valley Junction to Boyer

and the Commission further finds that said resolution and order should be modified with respect to said highway by which modification a greater maximum combined weight of load and vehicle will be permitted;

NOW, THEREFORE, BE IT RESOLVED that the resolution and order made and entered into by the Commission on the tenth day of March, 1937, with respect to the Salmon River Highway, be and the same hereby is modified to read as follows:

Commencing on Tuesday, March 16, 1937, the maximum weight of combined load and vehicle which shall be permitted on the Salmon River Highway between Valley Junction and Boyer shall be restricted to the following weights: the combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of any one axle of a vehicle or combination of vehicles shall not exceed the product of four hundred fifty (450) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit set by law for any one axle.

BE IT RESOLVED FURTHER that except as modified herein the said resolution and order made and entered into by the Commission on March 10, 1937, shall remain in full force and effect except as heretofore modified or changed by the order of the Commission.

BE IT FURTHER RESOLVED that this resolution and order shall be in full force and effect until changed, modified, or rescinded by the Commission.

The Commission had under discussion the use and maintenance of a certain county road as a detour for Wilson River Highway traffic pending completion of the highway from its junction with the Gales Creek County Road to a point approximately two miles westerly thereof in Washington County. It appears that the new Wilson River Highway grade has not yet been completed and a bridge thereon has not been constructed, so that this new grade is not yet usable by traffic, thus necessitating the use of the county road between these points. It also appears that the county road that is now being used by the Wilson River W.P.A. traffic is a county road, in so far as can be ascertained, from a junction with the Gales Creek Road to a point where it crosses the

grade of the Gales Creek and Wilson River Railroad. From and including this crossing to a place where a connection is made with the Wilson River Highway grade, travel is on private property and on what is considered a private road. It also appears that this matter involves the construction of a bridge over Gales Creek and a crossing over the Gales Creek and Wilson River Railroad on the Wilson River Highway at this location, concerning which an order from the Public Utilities Commissioner is now pending. The Commission, after considerable discussion, decided to continue the use of the detour road for the time being but instructed the Attorney to secure an easement from the owners of the private road pending the opening of the Wilson River Highway grade to traffic. He was also authorized by the Commission to secure, if possible, from the Public Utilities Commissioner an order permitting the maintenance and use of the present grade crossing of the Gales Creek and Wilson River Railroad.

The Commission had under discussion the matter of widening Denver Avenue, Portland, for four lanes of traffic and the designating of this street north of Columbia Boulevard, and Interstate Avenue south of Columbia Boulevard, as a state highway and as a federal aid highway, in order to permit state and federal funds to be expended thereon for maintenance and construction. The Engineer recommended that this be done. The Commission indicated a favorable attitude but deferred definite action until later in the session. Chairman Cabell was authorized to consult with the Portland city officials relative thereto with the view in mind that an agreement will be consummated covering the matter, wherein it will be clearly stated just what the city will do and what the state will do with respect thereto.

The Commission had under discussion a letter from the Attorney in regard to the assignments heretofore given by a number of the counties to the State Highway Commission as a means to pay county indebtedness for state highway construction. The Attorney pointed out that the recent legislature increased the counties' share of the highway funds and that in due time the increased amount will be allocated to the several counties. He gave as his thought that the increased amounts are not reached or covered by the assignments heretofore given to the Commission and recommended, in order to clarify the situation, that the Commission adopt a resolution instructing the Secretary of State to treat the additional amounts or allocations as not in any way controlled by any existing contract between the state and any particular county. The Commission concurred in the Attorney's ideas on this subject and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, under and pursuant to the provisions of a law applicable thereto, the several counties of the state are entitled to a statutory allocation of motor vehicle funds, the total amount of which for all of the counties was \$1,600,000; and

WHEREAS, the 1937 session of the Oregon Legislature increased the amount of such allocation to not less than \$2,000,000; and

WHEREAS, certain counties have entered into contracts with the State Highway Commission, by which such counties have pledged or hypothecated toward the payment of debts due the state by such respective counties their respective shares of the motor vehicle fund allocated by law to such counties; and

WHEREAS, it was not the meaning or purpose of any of said agreements that additional funds made available by the 1937 legislative act should be reached or controlled in any way by any of said agreements, and, therefore, additional moneys should be made available to the counties, notwithstanding any existing prior agreement by which motor vehicle funds were pledged for the payment of county debts due the state;

NOW, THEREFORE, be it resolved by the Oregon State Highway Commission as follows:

That the Secretary of State be and he hereby is advised that additional funds made available to the counties by reason of the enactment of Chapter 78, Oregon Laws, 1937, may be allocated by the Secretary of State to the several counties, uncontrolled by any existing agreement between any county and the State Highway Commission, by which such county has pledged its funds allocated or made available to such county under the law as it existed prior to the enactment of Chapter 78, Oregon Laws, 1937. The Secretary of State is advised, however, that it is not the purpose of the Commission by this resolution to release to any county which has heretofore pledged its motor vehicle funds to the state, any part of such funds other than the county's share of the additional funds made available by the enactment of Chapter 78, Oregon Laws, 1937.

The Engineer brought up for discussion the matter of Tillamook County's indebtedness to the State Highway Commission and the county's request for secondary highway oiling work this year. He said that the County Court has agreed to the settlement of its account to the state for \$30,000 as was tentatively agreed upon by Mr. Cabell and the County Court in his (the Engineer's) office on March 19, but the county wants this money spent for additional construction on the Neahkahnie Mountain project in order to hasten the completion of this road, and also wants some secondary highway oiling work amounting to about \$55,000, including the oiling of the 2½-mile section of the county road between the Oregon Coast Highway and Pacific City, the county road known as the Sand Creek Road, a 3-mile section of the road between Tillamook and Netarts, and the oiling of the road which extends north from the town of Nehalem to a connection with the Oregon Coast Highway near Mohler. Chairman Cabell explained the tentative offer that he made to the Tillamook County Court for the settlement of its indebtedness, which was as follows: the Commission to accept the county's claims for credit, totaling approximately \$40,000, as being substantially correct, leaving a balance of \$60,000 due the state from the county, of which balance the state would require the county to pay only \$30,000, in two annual installments, either in cash or by assignment

of a portion of the county's share of the state motor vehicle fund, such settlement to be in recognition of the county's inability to settle its account in full and in order to close the matter. He recommended such settlement with the county as a basis for discussion with the County Court on the following day and that the \$30,000 received from the county be expended for additional construction work on the Neahkahnie Mountain road, thus increasing the amount budgeted for this year's construction from \$100,000 to \$130,000. The recommendation was approved by Commissioners Aldrich and Tou Velle and it was so ordered. Chairman Cabell voiced his disapproval of the \$55,000 oiling program in Tillamook County but suggested that it would be satisfactory to undertake a \$30,000 oiling program augmented by county funds. This suggestion was also approved by Commissioners Aldrich and Tou Velle as a basis for discussion with the Tillamook County Court, which is to confer with the Commission on the morning of March 26.

The Commission adjourned at midnight, to reconvene at 9:00 o'clock a. m. on the following day in the Auditorium of the Public Service Building.

Portland, Oregon, March 25, 1937.

The State Highway Commission reconvened in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
J. M. Devers, Attorney  
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and for the furnishing of ferry service across the Willamette River at Wilsonville on the ~~Beaverton-Aurora~~ Secondary Highway were opened and read in conformance with previously published notice:

COOS BAY-ROSEBURG HIGHWAY  
MYRTLE POINT-MYSTIC CREEK SECTION - CRUSHED ROCK IN STOCK PILE

Homer G. Johnson	\$ 24,030.00
H. L. Rice	26,178.00
A. S. Wallace	26,950.00
R. O. Dail and Warren Bros. Inc.	31,200.00

PACIFIC HIGHWAY  
TURKEY HILL-CHENOWETH PARK SECTION - GRADING AND PAVEMENT

Jacobsen-Jensen Company	\$ 50,540.00
Anderson Construction Company	53,390.00
Kern & Kibbe	59,265.50
The United Contracting Company	73,574.50

KLAMATH FALLS-LAKEVIEW HIGHWAY  
BEATTY-BLY SECTION - CRUSHED ROCK IN STOCK PILE

Clifford A. Dunn	\$ 16,830.00
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THE DALLES-CALIFORNIA, GREEN SPRINGS, KLAMATH FALLS-LAKEVIEW HIGHWAYS  
KLAMATH FALLS ROCK PRODUCTION PROJECT

R. O. Dail & Warren Bros., Inc.	\$ 44,220.00
Clifford A. Dunn	52,935.00

OLD OREGON TRAIL  
PENDLETON-MYTINGER SECTION - GRADING, SURFACING, BITUMINOUS MACADAM

	Amount of Bid	Lump Sum Reduction
Consolidated Highway Company, Inc.	\$ 59,589.40	\$ - - - -
E. C. Hall	65,732.50	3,000.00
Harold Blake	65,931.80	- - - -
Clifford A. Dunn	68,662.10	- - - -
James Crick	69,884.60	- - - -
Homer G. Johnson	70,579.50	1,000.00
Oregon Contracting Company	70,595.00	2,000.00
Newport Construction Company and Kern & Kibbe	71,748.50	2,630.00
P. L. Crooks & Company, Inc.	73,818.00	- - - -
J. A. Lyons	78,049.50	- - - -
F. J. Kernan	80,241.50	- - - -
Carl Nyberg	84,436.50	- - - -
A. C. Greenwood & Company, Inc.	88,132.00	5,000.00
Colonial Construction Company	89,351.00	- - - -
Joplin & Eldon	91,045.00	3,200.00

OLD OREGON TRAIL AND TWO SECTIONS OF SECONDARY HIGHWAYS  
STANFIELD-PENDLETON SECTION  
SURFACING, BITUMINOUS MACADAM, OIL MAT, CR. ROCK

Washington Asphalt Company	\$179,858.72
J. F. Forbes	180,697.00
Edwin C. Gerber	181,144.40
Newport Construction Company and Kern & Kibbe	182,235.20
G. D. Lyons & Company	187,741.00
Warren Northwest, Inc. and Triangle Construction Company	189,294.00
Babler Bros.	192,552.00
Roy L. Houck	193,475.00
Standard Asphalt Paving Company	193,525.00
Clifford A. Dunn	195,631.00
Saxton & Looney and J. S. Risley	197,579.00
E. C. Hall Company	203,084.50
Homer G. Johnson	204,785.00
F. J. Kernan	204,970.00
Oregon Contracting Company	205,735.10

(Continued on next page)

## (Stanfield-Pendleton Section, continued)

Consolidated Highway Company, Inc.	\$211,876.40
Harold Blake	213,596.00
Joplin & Eldon	221,147.00
A. C. Greenwood Company, Inc.	226,090.00
R. O. Dail and Warren Bros., Inc.	224,102.00

## McMINNVILLE-TILLAMOOK HIGHWAY

## BELLEVUE-PRINGLE CORNER SECTION - GRADING AND PAVEMENT

## PILE TREESTLE BRIDGE

Harold Blake	\$106,927.50
Mountain States Construction Company	109,852.00
Oregon Contracting Company	112,213.00
Jacobsen-Jensen Company	119,872.00
Leonard & Slate	123,138.00
Kern & Kibbe	126,754.50
Edlefsen-Weygandt Company	131,693.50
The United Contracting Company	147,319.50

## BEAVERTON - AURORA SECONDARY HIGHWAY

## FERRY SERVICE ACROSS WILLAMETTE RIVER AT WILSONVILLE

	Lump Sum Bid Per Month
Leonard & Slate	\$ 1,250.00
Wm. H. Switzler and Colter Bros.	1,600.00
Roosevelt Highway Ferry Company	1,697.50

Chairman Cabell announced that the awards of contracts would be made at 3:00 o'clock p. m. in the same room.

The County Court of Lake County, consisting of County Judge John R. Heckman and Commissioners B. C. Robinson and W. P. Vernon, County Clerk Carl W. Pendleton and former County Judge Fred Reynolds were present and asked for the following improvements: (1) temporary oiling of the uncoiled portions of the Klamath Falls-Lakeview Highway, the type of improvement to be the same as was constructed on the Lakeview-Burns Highway in 1936; (2) designation as a secondary state highway of the county road which extends around the west side of Goose Lake between the California state line and Hotchkiss Ranch, a distance of about twenty miles, and reconstruction of this road to proper standards. Mr. Reynolds stated that this road serves a large population and is the most important road that the county has to offer as a secondary state highway.

Judge Heckman stated that the County Court is particularly interested in the road around Goose Lake and will contribute \$8,000 or \$10,000 toward the cost of improving it.

Chairman Cabell advised that the Commission this year is short of state money with which to match the federal funds but the Commission will be glad to consider this project for inclusion in the federal secondary or feeder road program when that program is arranged later in the year.

In regard to the Klamath Falls-Lakeview Highway oiling work, Chairman Cabell explained that this road is not suited for the treatment that was given to the Lakeview-Burns road last year and that it is one of the poorest roads to which such treatment could be applied. The Engineer advised that \$100,000 of forest highway funds have been allocated for the Klamath Falls-Lakeview Highway this year and he did not want to spend state money on this section in the event the Government proceeds with its project. He confirmed the statement of Chairman Cabell and added that the only section that might hold a light oil treatment with any degree of success is the ten-mile section over Quartz Mountain, but he did not care to commit himself on the subject without further investigation. He further advised that the Commission has another \$100,000 project in the program for the Klamath Falls-Lakeview Highway, involving the use of P.W.A. funds, but such project has not yet received final approval by the Washington authorities, although it has been recommended by the local P.W.A. officials. The delegation also asked for additional improvements on the Lakeview-Adel Secondary Highway, especially the Box Springs Section. They asked for the raising of the grade and the rocking of this section so as to eliminate bad snow conditions which obtain during the winter season. The Engineer advised that the Commission has already included in its federal aid secondary highway program a \$10,000 project for this road south of the improvement that was completed in 1936. The delegation asked that these moneys be reallocated to the Box Springs Section but were informed that this could not be done because it would disarrange the federal program. They then asked the Commission to allocate at least \$5,000 of additional money to improve the Box Springs Section. The Commission refused to do this but advised that the matter would be taken under advisement.

Mr. H. G. West, Walla Walla, Washington, representing the Inland Empire Waterways Association, came before the Commission and requested an expression of opinion with respect to the two bridges over the Columbia River at Cascade Locks and Hood River, which must be altered in order to provide additional clearances for ships upon completion of the Bonneville Dam. He explained that the United States War Department engineers have a hearing on this subject scheduled for the following day and that they would like to have a letter from the State Highway Commission stating that the bridges are desirable and are a public necessity and that in the opinion of the Commission the Government should pay the cost of altering them to fit the Dam improvements. After some discussion the Commission authorized Chairman Cabell to direct a letter to the War Department engineers indicating that in the opinion of the State Highway Commission the two bridges in question are desirable and to destroy or impair them as highway connections between the states of Oregon and Washington would, in the judgment of the Commission, seriously impair an interstate system of transportation to the injury of commerce and communication between the states of Oregon and Washington.

The Commission adjourned at 11:45 o'clock a.m. to reconvene at 2:00 o'clock p.m.

The State Highway Commission reconvened at 2:00 o'clock p. m. in the Auditorium of the Public Service Building with all members, the State Highway Engineer, the Attorney and the Secretary present.

The Hood River County Committee, consisting of R. J. McIsaac, Chairman; County Commissioners J. D. Smullin and Ralph W. Perry; County Engineer C. M. Hurlburt; E. O. Blanchard, Rory A. Collins, and Waldo Arens came before the Commission and requested the following improvements to the Mt. Hood Highway and the Hood River Secondary State Highway: repaint the center line stripe on the Mt. Hood Highway; reconstruct the Mt. Hood Highway between Hood River and the forest boundary, particularly the proposed revision at what is known as Fikes Corner; complete the reconstruction of the Hood River Secondary State Highway between Hood River and Dee, and improve the unsatisfactory condition of this road between Dee and a connection with the Mt. Hood Highway near Parkdale.

The Commission granted the delegation's request for the striping of the Mt. Hood Highway and advised that this would be done some time during the present season. The delegation was also informed that it did not appear possible to reconstruct the Mt. Hood Highway between Hood River and Parkdale this year because of insufficiency of funds. It was explained that the available state funds are needed to match the federal moneys; in fact, the Commission will not have enough state money this year to take up all of the federal money that has been allotted to the state. It was also explained that the Mt. Hood Highway is not on the federal aid highway system, so federal moneys cannot be expended thereon and it would not be possible to place this road on such system for four or five years at the earliest, because the limit in mileage that the Government will permit to be included in such system has already been reached.

Chairman Cabell advised that the Commission would like to improve this road but is precluded from doing so for financial reasons. He mentioned the possibility of spending federal secondary or feeder road moneys for the improvement of the road but added that there is a question whether or not the Bureau of Public Roads will approve, because this is a primary state highway. Mr. Tom Davis, Highway Engineer, Bureau of Public Roads, was present and stated, in reply to an inquiry, that he could not state whether or not the Mt. Hood Highway would pass as a federal secondary or feeder road. However, he added that any road that has possibilities of being a federal primary highway would not be eligible for federal secondary moneys.

Mr. Smullin inquired whether or not the Commission has as yet adopted a definite location for the proposed revision at Fikes Corner. He said that the county proposes to improve a county road connection with the Mt. Hood Highway near this place and they would like to have definite information as to the proposed highway improvement, which will affect their plans.

The Engineer advised that the surveys for this revision have been completed and that a report on the same will be rendered to the Commission at the next meeting. The Commission thereupon assured the delegation that it would adopt a definite route for this improvement at the next regular meeting

and would then forward data in regard thereto to the County Court for its information. Chairman Cabell reiterated that there are no prospects for the reconstruction of the highway at Fikes Corner this year. However, he added, the Commission will consider it for construction in the next year or two with emergency state funds.

Mr. McIsaac asked the Commission to complete the improvement of the Hood River Secondary Highway between Dee and Hood River. He was informed that the Commission has tentatively budgeted \$15,000 for construction on this section this year, which it is thought will do most of the work.

Mr. McIsaac also asked for the improvement of the section between Dee and Parkdale, where, he said, conditions are very bad and it was impossible at times this winter to drive even empty trucks over the road; in fact, the road was closed for a period.

The Engineer expressed regrets that traffic could not use this section for a time and he explained that it was due to unusually bad weather conditions which were beyond the control of the Highway Department. He added that the Commission is rebuilding this road as fast as funds will permit but it is a big job and will take quite a long time. He gave assurance that in the meantime the road will be maintained in as good a condition as is possible under the circumstances.

Mr. Hurlburt stated that the Columbia River Highway through the town of Hood River is in bad condition and in need of improvement. He asked the Commission to repave this section this year, if possible, the same to be financed with federal moneys that are required to be expended in cities and towns.

The Engineer advised that the present highway is not in the proper location and that the Commission does not have funds available to rebuild it this year where it belongs. As a result of the discussion, the Engineer was instructed by the Commission to do a particularly good job of maintenance on this section pending reconstruction of the highway on permanent line.

A delegation from Forest Grove, headed by Loyal M. Graham and including Messrs. John Thornburg and Fred Gardiner and County Commissioners H. D. Kerkman and James Lewis of Washington County, came before the Commission and asked for the construction of a six-mile section of the Gales Creek county road from the end of the improvement completed last year at Balm Grove to its junction with the Wilson River Highway. Chairman Cabell advised that the improvement of this section is not included in the Commission's plans for this year's construction.

Mr. Graham urged the Commission to take over the maintenance of this road from Forest Grove to the Wilson River Highway junction. He said that it carries a large volume of state highway traffic and, in his estimation, the state should be responsible for the maintenance of the road; furthermore, the state should also repair and maintain the city streets in Forest Grove over which this traffic is routed. He explained that the city streets are going to

pieces by reason of this extra traffic and that the people who paid for the original improvements do not feel that they should be called upon to pay the cost of repairs necessitated by such use.

After discussion, during which the Commission admitted certain responsibilities in this matter, the Commission agreed by unanimous vote to maintain the Gales Creek road from Forest Grove to Balm Grove as a primary highway detour for the time being without prejudice as to the future status of the road as either a primary or secondary state highway. The Commission also agreed to repair and maintain the city streets which form connections with the state highways in Forest Grove during the time state highway traffic is being routed over them. This action of the Commission was taken contingent upon approval by the Attorney as to the legal features involved and the Commission's authority to expend state highway funds for such purposes. The Attorney was instructed to advise the Commission relative thereto.

Mr. Graham offered the following suggestion for a state highway route through the town of Forest Grove connecting the Tualatin Valley Highway with the Nehalem Secondary Highway and the Gales Creek county road: entering Forest Grove over the Gales Creek road to Third Avenue North; thence east two blocks along Third Avenue North to A Street; thence southeasterly one block on a diagonal to North Avenue; thence east three blocks along North Avenue to Third Street; thence southeasterly two blocks on a diagonal to the intersection of Fifth Street and First Avenue North; thence east one block to Sixth Street; thence southeasterly one block on a diagonal to Seventh Street and a connection with the Tualatin Valley Highway near the east city limits. He declared that such routing would take traffic away from the congested district of their town and that it would provide connections with the Nehalem Secondary on North Avenue and with the Gales Creek road. He also said that very little right of way would have to be obtained and that the cost of the property that is needed for such purpose would not be exorbitant. He pointed out that a large portion of this route is along paved streets and gave as his thought that it would not be very costly to strengthen this pavement and to construct an entirely new road where necessary. He appealed to the Commission to consider this route in its deliberations regardless of whether or not it is constructed soon. The Commission thanked Mr. Graham for his suggestion and agreed to have the route investigated.

At 3:00 o'clock p. m. Chairman Cabell announced the following awards of contracts for which bids were taken at the morning session, the awards having been previously approved by the Commission by unanimous vote:

"Myrtle Point-Mystic Creek Section of the Coos Bay-Roseburg Highway, in Coos and Douglas Counties. Furnish Crushed rock in stock pile. The low bid was that submitted by Homer G. Johnson, Portland, at \$24,030.00. The next low bid was submitted by H. L. Rice, Portland, at \$26,178.00. There were two higher bidders. The Commission has referred the bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Turkey Hill-Chenoweth Park Section of the Pacific Highway, in Douglas County. 1.16 miles grading and 0.8 mile Portland cement concrete pavement. The low bid was that submitted by Jacobsen-Jensen Company, Portland, at \$50,540.00. The next low bid was submitted by Anderson Construction Company, Portland, at \$53,390.00. There were two higher bidders. The Commission has referred the bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Beatty-Bly section of the Klamath Falls-Lakeview Highway, in Klamath County. Furnish crushed rock in stock pile. The only bid received for this job was that submitted by Clifford A. Dunn, Klamath Falls, at \$16,830.00. The Commission has rejected this bid and has ordered that the project be readvertised.

"Klamath Falls Rock Production Project on The Dalles-California, Green Springs and Klamath Falls-Lakeview Highways, in Klamath County. Furnish crushed rock in stock pile. The low bid was that received from R. O. Bail and Warren Bros., Inc., Aberdeen, Washington, at \$44,220.00. The only other bid was received from Clifford A. Dunn, Klamath Falls, at \$52,935.00. The Commission has rejected both of these bids and has ordered that the project be readvertised.

"Pendleton-Mytinger Section of the Old Oregon Trail, in Umatilla County. 1.1 miles grading, surfacing and bituminous macadam wearing surface. The low bid submitted was that of Consolidated Highway Company, Inc., Portland, at \$59,589.40. The next low bid was that submitted by E. C. Hall, Eugene, at \$65,732.50, with a lump sum reduction of \$3,000 if also awarded the contract for the construction of the Stanfield-Pendleton Section for which bids were also received at this letting. There were thirteen higher bidders. The Commission advertised that this project and the Stanfield-Pendleton project could be bid in combination. The low combined bid for both jobs was that submitted by Newport Construction Company and Kern & Kibbe, Portland, at \$251,353.70. This bid, according to tabulations, is higher than the combination of the low bids for each job separately, being those of the Consolidated Highway Company, Inc., Portland, at \$59,589.40 for the Pendleton-Mytinger Section, and the Washington Asphalt Co., Seattle, at \$179,858.72 for the Stanfield-Pendleton Section. The Commission therefore awards the contract for the Pendleton-Mytinger Section to the low bidder, Consolidated Highway Company, Inc., at its bid price of \$59,589.40.

"Stanfield-Pendleton Section of the Old Oregon Trail and two sections of secondary highways in Umatilla County. 24.7 miles crushed rock surfacing; 20.4 miles bituminous macadam wearing surface; 4.3 miles oil mat surface treatment; also furnish crushed rock in stock pile. The low bid was that received from Washington Asphalt Company, Seattle, at \$179,858.72. The next low bid was that submitted by J. F. Forbes, Olympia, Washington, at \$180,697.00. There were

eighteen higher bidders. The Commission has awarded this contract to the low bidder, Washington Asphalt Co., Seattle, at its bid price of \$179,858.72.

"Bellevue-Pringle Corner Section of the McMinnville-Tillamook Highway, in Yamhill County. 2.82 miles grading and Portland cement concrete pavement; also, construct an 87-foot pile trestle bridge. The low bid was that submitted by Harold Blake, Portland, at \$105,927.50. The next low bid was that submitted by Mountain States Construction Company, Eugene, at \$109,852.00. There were six higher bidders. The Commission has referred the bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Furnish ferry service across the Willamette River on the Beaverton-Aurora Secondary Highway at Wilsonville, in Clackamas County, for a two-year period, beginning July 1, 1937. The low bid was that submitted by Leonard and Slate, Multnomah, at \$1,250 per month. The next low bid was that submitted by Wm. H. Switzler and Colter Bros., Maryhill, Washington, at \$1,600 per month. The only other bid received was that submitted by Roosevelt Highway Ferry Company, Newport, at \$1,697.50. The Commission has awarded the contract to the low bidder, Leonard and Slate, at their bid price of \$1,250 per month."

Mr. Charles Wilson, Manager of the Salem Chamber of Commerce, headed a delegation consisting of about twenty members, which appeared before the Commission and urged the construction of the remaining gap in the Salem-Dayton Secondary Highway. Included in the delegation and speaking in behalf of the project were the following: F. D. Willert, Postmaster, and President of the Chamber of Commerce, Dayton; Fred Withee, farmer, residing in the vicinity of Dayton; John S. Friesen, Mayor of West Salem; Fred Gibson, County Commissioner of Polk County, West Salem; Earl Coburn, Mayor of Dayton; L. Hurner, farmer, residing in the vicinity of Carlton. Others included in this delegation were W. W. Chadwick, President, Salem Chamber of Commerce; W. M. Hanson, Secretary, Salem Chamber of Commerce; W. S. U'Ren, Paul Londershausen, W. R. Magnus, and M. D. Holland, Dayton.

Chairman Cabell advised that the Commission regrets that it cannot offer any more encouragement now that this project will be constructed at an early date than it has done on previous occasions when this delegation appeared before the Commission. He further stated that the Commission has hopes to secure the approval of the Federal Government for a P.W.A. project on the road in the vicinity of Spauldings Corner, which would provide for the oiling of several miles this year, but such approval has not yet been forthcoming and there is a question whether or not it will be approved by the federal authorities in Washington, D. C. He further stated that the Commission realizes the benefits of oiling work and hopes to be able to proceed with such work on the road under discussion later on, although it is now up to the P. W. A. authorities to act.

The County Court of Jefferson County, consisting of County Judge W.R. Cook and County Commissioners F. E. Stangland and T. A. Power; J. W. Elliott, Superintendent of the Warm Springs Indian Agency; and George E. Aiken, Sisters, came before the Commission and requested additional improvements to the Warm Springs Highway in Jefferson County, particularly a four-mile section extending westerly from the end of the unit that was constructed last year, to the point known as Miller Flat, which, they said, would provide for a standard road out of the Deschutes River Canyon. Judge Cook urged this improvement so as to provide a shortcut road from central Oregon to Portland, and declared that, if the improvement is constructed to Miller Flat, it would make available, eight months of the year, a road to Portland which is fifty miles shorter than any of the existing roads. He presented a brief in support of his oral arguments.

Mr. Elliott spoke for the improvement in behalf of the Indian Agency. He alleged that the unit that was constructed last year west from the Warm Springs Agency is of no value to anyone under present conditions and should be extended at least to Miller Flat in order to realize benefits on this investment. He advised that the Indian Agency is carrying on a large improvement program within the reservation boundaries, consisting of range and forest improvements, construction of hospital and school buildings, development of irrigation projects, et cetera, at a cost of approximately \$250,000 this year, but they are considerably handicapped in these improvements in the northern part of the reservation because of the condition of the road under discussion, which is very narrow, crooked and steep, it being very difficult to move heavy equipment over it.

Chairman Cabell advised that the Commission would like to extend this road to Miller Flat but is not able to do so this year because of insufficiency of funds. He pointed out that the construction of this road is being financed with federal funds allotted to Oregon under the Oddie-Colton Act which provides funds for the construction of roads across Indian reservations and public lands. He explained that, under the provisions of this act, the State of Oregon received approximately \$168,000 for expenditure this year, which amount had to be divided among three projects, the Warm Springs Highway, the Central Oregon Highway, and the I. O. N. Highway across the southern part of Malheur County. The Government is particularly interested in the I. O. N. Highway, he said, because it is an interstate highway and the portions in Idaho and Nevada have been completed; furthermore, these states are bringing pressure to bear on the Government to have the Oregon sector completed at the earliest possible date so as to make the road usable by traffic throughout its entire length. For this reason, he said, the Commission deemed it advisable to allocate most of these funds to the I. O. N. Highway; however, \$50,000 thereof was allocated to the Warm Springs Highway to continue last year's improvement about one-half the distance to Miller Flat. That is the best that the Commission could do, he added, with this year's money, and be fair with the other districts. He explained that it would not be possible to take any of the allotment away from the I. O. N. Highway without removing the entire project from the program, which is out of the question under the circumstances and concluded the discussion by assuring the delegation that the Commission will bear their project in mind for future funds.

The Commission had under discussion the law enacted by the 1937 Legislature, which authorizes the State Highway Commission to construct a state office building at Salem. It appears that the State Capitol Reconstruction Commission is to have charge of constructing any new buildings that have been authorized by the legislature, including the state office building, and that said Commission is about to file an application with the Federal Government for P. W. A. funds to assist in financing the same. The State Highway Commission took the stand that it did not care to spend any of its funds for the construction of a building at this time and accordingly deemed it advisable to so inform the State Capitol Reconstruction Commission before it goes too far in the matter of securing the government money. Chairman Cabell was authorized to send the following telegram to Mr. J. A. McLain, Chairman of the Capitol Reconstruction Commission, Eugene, relative thereto:

Night Letter

March 25 1937

J A McLAIN CHAIRMAN  
CAPITOL RECONSTRUCTION COMMISSION  
OSBORNE HOTEL  
EUGENE OREGON

THE HIGHWAY COMMISSION HAS RECEIVED REPORT THAT THE CAPITOL RECONSTRUCTION COMMISSION PROPOSES TO APPLY TO THE FEDERAL GOVERNMENT FOR GRANT FUNDS FOR STATE BUILDING PROGRAM IN SALEM INCLUDING A BUILDING TO BE FINANCED BY STATE HIGHWAY FUNDS STOP THE HIGHWAY COMMISSION OWING TO QUESTIONS OF POLICY AND TO SHORTAGE OF FUNDS IS UNWILLING TO BE COMMITTED TO A BUILDING PROGRAM AT THIS TIME STOP THE COMMISSION THEREFORE REQUESTS THAT NO ACTION BE TAKEN BY YOUR BODY PURPORTING IN ANY WAY TO BIND THE HIGHWAY COMMISSION BEFORE WE HAVE AN OPPORTUNITY FOR A CONFERENCE WITH THE CAPITOL RECONSTRUCTION COMMISSION REGARDING THIS MATTER

HENRY F CABELL CHAIRMAN  
STATE HIGHWAY COMMISSION

Mr. John L. Foote, Attorney, St. Helens, appeared before the Commission in regard to the relocation of the Lower Columbia River Highway between Johnson Crossing and the town of Scappoose, in Columbia County. Mr. Foote said that he represents 37 property owners who reside along the present highway between these points, all of whom are opposed to the relocation of the highway as is proposed by the State Highway Commission, because the change will depreciate the value of their properties and, in some instances, will entirely destroy the value of the property from a business standpoint. He said that many of these property owners depend to a large extent for their livelihood on the sale of fruit and vegetable products along the roadsides and if the highway is rerouted it will mean the elimination of this means of livelihood. In several instances, he said, the owners have constructed stores and business buildings on their properties and these businesses will be ruined if the highway is relocated and traffic taken away. He added that these businesses have been built up on a permanent basis with the idea that the present road, which is the oldest one in the state, would remain in its present location.

He further stated that the people realize that the present road needs to be widened and improved in other respects, and they have indicated that they will be reasonable in right of way settlements. He alleged that right of way along the railroad where the Highway Commission proposes to rebuild this road, is very productive and very high priced. He concluded his presentation by stating that, in his estimation, it would be unjust for the Highway Commission to revise the alignment and that the County Court of Columbia County is in favor of retaining the road in its present location. In support of his arguments Mr. Foote presented a petition signed by 32 owners of property lying between the present established highway and the railroad right of way, who urged the retention of the highway in its present location rather than its removal to the location nearer the railroad.

Attorney Devers advised that the proposed change passes through a certain cemetery, the owner of which is strongly opposed to a highway being constructed through the same, and it seems that it will be absolutely impossible to secure the right of way through this cemetery because the owner absolutely refuses to sell any property for such purpose and the Commission is without authority to condemn the right of way through the cemetery. It appeared to him that the improvement would have to be abandoned because he has exhausted every means of argument for the securing of right of way through the cemetery on a friendly adjustment basis.

Chairman Cabell advised Mr. Foote that, in his estimation, the road must be rebuilt on permanent location or not at all. It is going to cost a lot of money to rebuild this road, he said, and if it is not reconstructed in the proper place, very likely some future highway commission will rebuild it on the correct alignment and in that event the moneys spent for improving the present road would have to be considered as wasted. It was his idea that, if the road cannot be built now on the location near the railroad, the improvement should be postponed until such time as it can be built there. Commissioners Aldrich and Tou Velle concurred.

A large delegation composed of representatives from towns located along the Pacific Highway West was present in behalf of the completion of the Amity-Dayton Secondary Highway, in Yamhill County. Heading the delegation was H. W. Torbet, President of the Amity Commercial Club, and included therein were the following: W. S. Allan, Dundee, former County Commissioner of Yamhill County; W. H. Malone, County Commissioner of Benton County; W. F. Groves, Secretary of the West Side Highway Association; Mayor H. A. Stiles and H. W. Hand, all of Corvallis; Dr. Starbuck, Oscar Hayter, Attorney, and Mayor L. S. Finseth, all of Dallas; Hon. Dean Walker, Joint Senator from Polk and Benton Counties, Independence; County Judge William O. Powell of Yamhill County; and others. The delegation urged the completion, widening and surfacing of the Amity-Dayton Secondary Highway from the north end of the improvement that was made in 1936 to its intersection with the Pacific Highway West, a short distance north of Dayton, and presented arguments in support thereof from the standpoint of safety, economy and convenience to the motoring public. They alleged that the economy and saving to the traveling public would be sufficient to pay the cost of improvement within a five-year period.

Chairman Cabell advised that the Commission realizes that the completion of this road will be of great benefit to the people south of McMinnville and that the Commission plans to oil, this year, the portion that was graded last year; but, other than that, the Commission will not be able to do any additional construction this year because of shortage of funds. He also said that the Commission would bear this project in mind for future consideration when its finances improve.

Mr. Torbet filed with the Commission a petition signed by members of the delegation supporting their oral requests.

Dr. Gerald B. Smith, Woodburn, headed a delegation which urged the Commission to designate as a secondary highway a road extending easterly from the Wheatland ferry crossing of the Willamette River north of Salem to any convenient connection with the Pacific Highway East, near Woodburn; also, to designate as a part of this secondary highway the county road which extends westerly from Wheatland ferry a distance of about three-fourths mile to a connection with the Salem-Dayton Secondary Highway at what is known as Williamson Corner. The delegation consisted of the following members in addition to Dr. Smith: A. W. Newby, Alfred Heinonen, Guy Mott, Leslie Cook, T.C. Richter, John L. Lorenzen, W. M. Ricklie, Martin Rosenleby, Harry Starr, J.R. Kopen, K. C. Wood, Peter Paruin, H. W. Torbett, all of Amity; C. F. Stephens, Howard Stephens, and Pat Kiminki, all of Dayton. Dr. Smith pointed out that there now exists a secondary state highway extending from the Salem-Dayton Highway near Williamson Corner through Hopewell to Amity, thence westerly to a connection with the McMinnville-Tillamook Highway, at Bellevue; and there also exists a secondary highway which extends easterly from the town of Woodburn to a connection with the Mt. Hood Highway. He gave as his thought that the State Highway Commission should designate as a secondary state highway a connection between these two existing secondary highways which would provide a state road from Bellevue to the Mt. Hood Highway, and that such road should cross the Willamette River at the Wheatland ferry inasmuch as that is now the only crossing available between Salem and Newberg.

Chairman Cabell explained that it is contrary to the policy of the State Highway Commission to place any more roads on the secondary state highway system at the present time. He advised that the Federal Government has made provision for a federal secondary or feeder road system and has allotted certain funds for the construction of such system; further, that the selection of the roads that are to be included in that system has not yet been made and will not be made until the Commission has conferred with the county courts of the various counties relative thereto and until the state-wide planning survey that is now under way is completed and the factual data are assembled and studied. He gave as his thought that the proper thing for the delegation to do is to interest the county courts of Marion and Yamhill counties in their project so that it can be included in the discussions when the Commission confers with the county courts of these counties.

Mr. Torbet then asked the Commission to improve the alignment of the Bellevue-Hopewell Secondary State Highway east of the town of Amity where it curves around two hills and creates a dangerous condition for traffic. He gave

as his understanding that the Commission has plans for the straightening of these curves and asked that the work be done at the earliest possible time in the interest of the safety of the traveling public. The Commission took the matter under advisement.

Mr. Torbet submitted a brief in support of the arguments presented in behalf of the delegation for the designation of the new secondary highway and for the improvement of the present secondary highway east of Amity.

Judge Powell presented a certified copy of the order of the Yamhill County Court requesting the State Highway Commission to take over and maintain as a secondary state highway the county road which extends from Williamson Corner on the Salem-Dayton Secondary Highway to the Wheatland ferry. There was also presented in support of oral arguments a petition signed by 54 citizens of Marion and Yamhill Counties, who request that the road from Williamson Corner to Wheatland ferry be designated as a secondary highway and that the Commission grade and oil as much as possible of the Bellevue-Amity-Williamson Corner road in Yamhill County, and that the few dangerous curves on this road be eliminated in the interests of safety.

There being no other delegations to be heard at this time, the Commission disposed of a number of routine matters as follows:

The Commission authorized the State Highway Engineer, Mr. R. H. Baldock, and the Assistant Office Engineer, Mr. Oscar Cutler, to attend the Fourth Pacific Northwest Regional Planning Conference in Boise, Idaho, on April 8, 9 and 10, at state expense, provided this meets with the approval of Governor Martin.

The Commission confirmed the action taken by Chairman Cabell and the Engineer on February 25, 1937, in conference with W. H. Lynch, District Engineer, Bureau of Public Roads, providing for a program for the fiscal year 1938 Federal Lands Moneys allotted to the State of Oregon, amounting to \$168,367.00, and thereupon, with Mr. Lynch, signed a joint letter directed to the Chief, Bureau of Public Roads, Washington, D. C., recommending the following projects for such funds:

1. Miller Flat-Agency Section of the Warm Springs Secondary Highway in Jefferson County. Extends from the north end of FLH Project 2-B, north 1.1 miles. Work to be done consists of 1.1 miles of grading and topping. Estimated cost is \$42,000, all FLH Funds - - - - - \$42,000.00
2. Lake County Line-Gap Ranch Section of the Central Oregon Highway in Harney County. Extends from Lake County Line east six miles. Work to be done consists of 6.0 miles of surfacing and oiling. Estimated cost is \$50,000, all FLH Funds - - - - - \$50,000.00

(Continued on next page)

(1938 Federal Lands Moneys, continued)

3. East Unit, Jordan Creek Section of the I.O.N. Highway in Malheur County. Extends from the east end of FLH Project 3-D, easterly to a point which is approximately five miles west of the town of Jordan Valley. Work to be done consists of 16.5 miles grading and topping (including 3 bridges), of which 10.3 miles are on Public Land. Estimated cost is \$155,000, of which \$76,567 is to come from FLH Funds - - - - - \$ 76,367.00  
Total - - - - - \$168,367.00

The Commission considered and signed an application directed to the U. S. Indian Department asking for a small parcel of land that is needed for right of way at the junction of The Dalles-California Highway with the Diamond Lake Highway, in Klamath County, said parcel being situate in the N.E.  $\frac{1}{4}$  of the N.E.  $\frac{1}{4}$  of Section 12, T. 29 S., R. 7 E., W. M., and containing 0.01 acre. The Commission was advised that whatever consideration is to be paid for said parcel of land will be paid by Klamath County.

The Commission also considered and signed two agreements for the lease of two quarry sites on the Klamath Indian Reservation tribal lands in Klamath County, both sites being located 0.9 mile south of Fort Klamath on The Dalles-California Highway and containing 2.26 acres and 3.25 acres, respectively, the said 2.26-acre tract being in the Kate Brown allotment.

The Engineer requested authority to acquire certain parcels of real property that are needed for various improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful study the Commission approved the Engineer's request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers,

or bases of settlement, hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is, instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Turkey Hill-Chenoweth Park Section - Pacific Highway</u>				
4367-Hoffman, Frank A.	R/W	1.28	\$75 per a. plus \$64	McChesney
<u>Horse Ridge-Bridge Section - Central Oregon Highway</u>				
4468-Rahn, W. A.	Gravel Pit	13.7	\$7.50 per a.	McChesney
4469-Deschutes County	Gravel Pit and Stock Pile	27.4	\$1.095 per a.	"
<u>Waterville-Gate Creek Section - McKenzie Highway</u>				
4368-Montgomery, Chas.	Stock Pile	1.10	5-yr. Lease at \$25 per yr.	McChesney
<u>Monmouth South Section - West Side Pacific Highway</u>				
1347-Tedrow, Albert P.	R/W	0.38	\$100 per a. plus \$63.75	McCallister
<u>Nehalem River-Quartz Creek Section - Wolf Creek Highway</u>				
2172-Rupp Investment Co. et al	Quarry and Haul Road	5.7	\$500 Lump Sum plus taxes	DeSouza
<u>Forest Boundary-Elgin Section - Weston-Elgin Highway</u>				
4011-Union County	R/W	696 sq.ft.	Gratis	Wells
<u>Elkton-Drain Section - Umpqua Highway</u>				
4181-Douglas County	R/W	63.98	Gratis	Lytle
<u>Dayton-Foster Ranch Section - Salem-Dayton Highway</u>				
4396-Bruhn, John	R/W	0.018	\$15 Lump Sum	Collins
<u>Stanfield-Pendleton Section - Old Oregon Trail</u>				
4340-Burrows, Edward S.	Quarry	4.06	\$30 per a. plus \$10	Wells
<u>McMinnville-Tillamook Section - McMinnville-Tillamook Highway</u>				
4316-Kirts, E. A.	R/W	0.218	\$150 per a. plus \$32.50	Collins
<u>Marshfield Section - Oregon Coast Highway</u>				
4301-Shepherd, Jean	R/W	2570 sq.ft.	\$400 Lump Sum plus \$350	Parker
<u>Algoma-Terminal City Section - The Dalles-California Highway</u>				
4392-Klamath Development Company	Stock Pile	1.26	\$200 per a.	McChesney
<u>Rogue River-Gold Hill Section - Pacific Highway</u>				
4306-Bressel, William H.	Roadside Parking	0.691	\$450 Lump Sum	Benson

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Rainier Section - Columbia River Highway</u>				
4025-Dotson, Antoinette	Drainage	296 sq.ft.	Gratis	Gardiner
Braim	Tunnel Easement			
<u>Alkali Lake Section - Lakeview-Burns Highway</u>				
4361-State Land Board	Maintenance Site	34.09	\$2.50 per a.	McCallister
<u>Eagle Point Section - Little Butte Highway</u>				
4398-Jackson County	Stock Pile	0.17	\$58.82 per a.	McChesney
<u>Moro Section - Sherman Highway</u>				
4342-Moro City	Maint. Bldg. Site	17,162 sq.ft.	\$0.00437 per sq.ft.	McChesney
4345-Walker, Luella I.	" " "	15,000 sq.ft.	\$0.9 per sq.ft. plus \$115	"
<u>Shedd-Halsey Section - Pacific Highway</u>				
4265-Miller, E.C.	R/W	2,000 sq.ft.	3¢ per sq.ft. plus moving barn	McCallister
(Correction)				
<u>Forest Grove Section - Nehalem Highway</u>				
4353-Forest Grove City	R/W	1,150 sq.ft.	Gratis	Collins
<u>East Portland-Oregon City Section - East Portland-Oregon City Highway</u>				
Wood, H. O.	R/W		\$500 Lump Sum	Devers
<u>Bend-Crescent Section - The Dalles-California Highway</u>				
4507-Francisco, Ralph P.	Stock Pile	2.65	\$50 Lump Sum	Chandler
<u>Sunset Camp-Elsie Section - Wolf Creek Highway</u>				
2069-Detroit Trust Company	R/W	3.53	\$112	Gardiner
2069-Properties Corp.	"	2.70	\$128	"
2819-Properties Corp.	"	287.64	\$16,167.50	"
<u>Wasco County - Columbia River Highway</u>				
4501-Wetle, Fred	Stock Pile	0.95	3-yr. Lease at \$10 per yr.	McChesney
<u>Lakeview Section - Klamath Falls-Lakeview Highway</u>				
4009-Moorhead, Ceris and	Stock Pile	3,375 sq.ft.	\$10 Lump Sum	DeSouza
Burnison, J.				

The Attorney reported difficulties encountered in securing a quarry site that is needed for the improvement of the Stanfield-Pendleton Section of the Old Oregon Trail, in Umatilla County, and the necessity to condemn this property if further negotiations with the owners, William Barth and Clarence W. Barth, are unsuccessful. He requested authority from the Commission to institute condemnation proceedings if that is necessary. The Commission approved the Attorney's request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon and to acquire by donation, purchase, agreement, condemnation, or by the power of eminent domain title to land upon or under which there is gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment or pavement, and to declare the necessity and need for the acquisition thereof and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for the purposes of road construction, improvement, betterment, repair and maintenance, and for the purpose of the manufacture of road materials on the following section or sections of the state highway system of the State of Oregon, to wit:

Stanfield-Pendleton Section of the Old Oregon Trail

land and property owned by or in the possession of the following parties and/or persons, to wit:

William Barth and Clarence W. Barth

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties contain gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits or other mineral deposits or formations suitable for road construction, improvement, betterment, or pavement, and that the said property or properties is or are necessary and needful and the acquisition thereof will be of advantage to the State of Oregon for the said purposes in order to make it possible for the State Highway Commission to construct, improve, maintain and repair the said portion or portions of the said state highway system in accordance with the standards adopted by this Commission.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for said purposes and to prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties, or which said descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same shall be lands necessary for the purposes stated herein.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Attorney reported on the cost to secure public liability insurance demanded by the O.W.R. & N. Company and the Union Pacific Company in connection with an agreement providing for snow removal along the Columbia River Highway in the Columbia River Gorge. He said that one-year coverage would cost \$2,421.10, but with a coverage of three years it would cost \$6,536.97. He also said that he was informed by the agent for the insurance company that, if the Commission selected coverage for the three-year period, the premium could be paid in three payments. He was instructed by the Commission to secure additional information from the insurance company in regard thereto and the exact amount of each annual payment in the event the Commission elects to purchase coverage for three years and to pay the premium in installments.

The Commission adjourned at 5:15 o'clock p. m. to reconvene at 9:00 o'clock the following morning in the Auditorium of the Public Service Building.

Portland, Oregon, March 26, 1937.

The State Highway Commission reconvened at 9:00 o'clock a.m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
J. M. Devers, Attorney  
H. B. Glaisyer, Secretary

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Bids as follows for highway construction projects and for the sale of a building were opened and read in conformance with previously published notice:

COLUMBIA COUNTY OILING PROJECT  
TWO SECTIONS OF COUNTY ROAD  
CRUSHED ROCK SURFACING AND OIL MAT SURFACE TREATMENT

	Using Oil	Using Tar
Babler Bros.		\$ 25,574.50
Warren Northwest, Inc.		26,796.75
Joplin & Eldon	\$ 28,652.50	28,282.00
Harold Blake		29,174.50
J. C. Compton		34,816.50

COLUMBIA RIVER HIGHWAY  
MEMALOOSE PARK-DILLON AND JOHN DAY RIVER-BLALOCK SECTIONS  
CRUSHED ROCK IN STOCK PILE

H. L. Rice	\$ 21,772.00
Joplin & Eldon	24,087.00
A. C. Greenwood Company, Inc.	24,579.00
R. O. Dail and Warren Bros., Inc.	25,350.00
H. C. Rogers	26,066.40
Jones-Scott Company	26,650.00
Parker-Schram Company	26,758.50
Hart Construction Company	27,721.60
Homer G. Johnson	29,040.00
Smith & Company	31,050.00
Babler Bros.	40,300.00

THE DALLES-CALIFORNIA AND CHILOQUIN HIGHWAYS  
FORT KLAMATH-CHILOQUIN SECTION  
CRUSHED ROCK IN STOCK PILE

A. S. Wallace	\$ 17,680.00
A. Milne	24,975.00
Babler Bros.	26,350.00
E. C. Hall Company	35,950.00

COLUMBIA RIVER HIGHWAY  
ROCKY POINT SECTION  
GRADING AND PORTLAND CEMENT CONCRETE PAVEMENT

Oregon Contracting Company	\$ 86,366.00
Kern & Kibbe	88,938.00
Porter W. Yett	93,770.50
Edlefsen-Weygandt Company	103,881.50
Parker-Schram Company	106,072.00
P. L. Crooks & Company, Inc.	121,754.00

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SALMON RIVER, McMINNVILLE-TILLAMOOK, DALLAS-COAST HIGHWAYS  
CRUSHED GRAVEL OR CRUSHED ROCK IN STOCK PILE  
WILLAMINA ROCK PRODUCTION PROJECT

Harold Blake	\$ 21,900.00
Babler Bros.	22,500.00
Saxton & Looney and J. S. Risley	22,900.00
Edlefsen-Weygandt Company	25,160.00
E. C. Hall Company	50,000.00

SHERMAN HIGHWAY  
SHANIKO SECTION

SURFACING, OIL MAT SURFACE TREATMENT, CRUSHED ROCK IN STOCK PILE

Joplin & Eldon	\$ 46,963.00
Edwin C. Gerber	51,322.00
Babler Bros.	54,027.00
A. Milne	54,837.50
R. O. Dail and Warren Bros.	59,391.00
A. C. Greenwood Company, Inc.	60,854.00
Homer G. Johnson	61,302.00
H. C. Rogers	64,651.00

TUALATIN VALLEY HIGHWAY  
FOREST GROVE—HILLSBORO SECTION  
GRADE WIDENING AND ASPHALTIC CONCRETE PAVEMENT

Warren Northwest, Inc.	\$102,941.00
Harold Blake	104,685.00
Parker-Schram Company	111,111.00
The United Contracting Company	112,637.80
Jacobsen-Jensen Company	114,454.00
Kern & Kibbe	115,680.70

SALE OF RESIDENCE BUILDING  
4218 S. E. Eighth Avenue, Portland, Oregon  
EAST PORTLAND-OREGON CITY HIGHWAY

Sullivan Wrecking Company	\$ 46.98
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Chairman Cabell announced that the award of contracts would be made at 3:00 o'clock p. m. in the same room.

The Engineer presented a brief report on investigations that have been made for the improvement of the Oregon Coast Highway through the town of Gold Beach, Curry County. He exhibited a map showing the present 60-foot right of way limits and encroachments thereon of buildings, hedge fences, et cetera; also showing the limits for a standard 80-foot right of way. He recommended the adoption of the standard 80-foot right of way through this town. The Commission approved the Engineer's recommendation and authorized the

securing of options for the right of way on that basis. The Engineer was instructed by the Commission to make a standard location survey through this town and submit an estimate of cost to construct the same, keeping in mind that the Commission may wish to include this project in the construction program for 1938 if possible. He was also instructed to make further study relative to the advisability and possibility of bettering the alignment shown on the map between Stations 6+00 and 12+00 so as to eliminate therefrom, if possible, certain curves between these points. The Secretary was instructed to convey this information to the Curry County Court and to inform the Court that the Commission is anxious to proceed with this improvement at the earliest possible time.

The Commission had under discussion a report from the Landscape Engineer in regard to the destruction of shrubbery which was planted by the Gresham Garden Club along the Mt. Hood Highway in Gresham. It appears that the highway has been relocated at the east city limits of this town so as to eliminate a sharp curve, and that the shrubbery and trees planted by the Gresham Garden Club were partially destroyed, and that which was not destroyed was left standing along the abandoned section of the highway where it does not serve the purpose for which it was planted. It was the Landscape Engineer's thought that this shrubbery could be regrouped along the relocated highway to the satisfaction of the club members. He recommended that this be done as a W.P.A. project, if the Gresham Garden Club will approve the same, which would mean that the state would have to pay for supervision only. The Commission by unanimous vote approved the project on that basis.

The Engineer brought up for discussion the matter of constructing a nonskid wearing surface on the Woodburn-Silverton Secondary Highway, in Marion County. He advised that the present highway is paved with a rich bituminous concrete pavement 16 feet in width, which is slick and dangerous in rainy or freezing weather. Furthermore, there is an excessive crown in the pavement which is conducive to traffic accidents. He pointed out that the present road is not on a permanent alignment, and estimated the cost to rebuild it on permanent alignment at about \$405,000, including the right of way, supervision and contingencies. He recommended, in view of the dangerous condition of the road and the excessive cost to reconstruct it on permanent alignment and to modern standards, that the present pavement be given a cheap type of nonskid wearing surface at a cost of about \$500 per mile, or a total of about \$6,000, which would serve the purpose until funds are available to finance a permanent improvement. The Commission approved the Engineer's recommendation by unanimous vote and so ordered.

A delegation from Roseburg, consisting of W. C. Harding, Secretary, Chamber of Commerce; A. C. Marsters; and County Commissioner H. B. Roadman, came before the Commission and asked for the reconstruction of a two-mile section of the Pacific Highway immediately south of Roseburg to connect the city of Roseburg improvement that is now under way with the completed section south of Roseburg. They were informed that the Commission now has two large projects programmed for this year's construction on the Pacific Highway between Junction City and the California line, and, while the Commission would like to include additional work on this highway, it can not do so because of shortage

of funds. The Commission acknowledged that the project in question is desirable and affirmed its willingness to give serious consideration to its construction for next year but made no definite commitment of funds thereto. Mr. Harding declared that this is the most important highway project in the vicinity of Roseburg and urged its construction at the earliest possible time. Mr. Marsters confirmed Mr. Harding's statement. The Engineer advised that the present highway is not on permanent location and that the survey to determine the proper location has not yet been authorized. The Commission thereupon authorized the Engineer to proceed with such location survey at his convenience.

The County Court of Tillamook County, represented by Judge H. H. Rosenberg and County Commissioners E. H. Lindsey and E. G. Anderson, were present in regard to Tillamook County's indebtedness to the State Highway Commission, and the oiling of certain county roads, both of which matters they discussed with Chairman Cabell in the Engineer's office in Salem on March 19.

Chairman Cabell advised that the Commission has confirmed the tentative settlement of the county's debt, which was arranged on March 19, and has agreed to acknowledge the county's counterclaim for credit in the amount of approximately \$40,000 as being substantially correct, leaving a balance of \$60,000 due the state from the county, out of which balance the Commission has voted to require the county to pay only \$30,000, such settlement being in recognition of the county's inability to settle its account in full and in order to close the matter on the books of the Commission. He also said that the Commission has agreed to spend the \$30,000 received from the county to extend the improvements contemplated this year on the Neahkahnie Mountain Section of the Oregon Coast Highway, thus providing for a project costing approximately \$130,000 rather than \$100,000, as was originally contemplated. Relative to oiling work, he said that the Commission has tentatively decided to include in this year's program a \$30,000 federal secondary highway project consisting of the following improvements: (1) oiling a section of the Tillamook-Netarts road, commencing at the west end of the bay bridge near Tillamook and extending westerly to the summit, a distance of about 3.15 miles; (2) oiling of the Pacific City road from its junction with the Oregon Coast Highway to Woods, a distance of about 3 miles; (3) oiling of the Nehalem East county road to a connection with the Oregon Coast Highway, a distance of about 1.6 miles. The State Highway Commission, he said, will arrange to put up a total of \$30,000 of federal and state money for this work and will extend the work to provide a \$45,000 project if the county will contribute the extra \$15,000. He explained that this program is tentative only and must first be approved by the Bureau of Public Roads before construction can proceed. Furthermore, surveys will have to be made and estimates of cost prepared before a definite program can be outlined. The Engineer suggested that it might be advisable, if the county is willing to contribute \$15,000, for the county to spend its own money for the rock of the three roads in question, which could be done right away, thus expediting the completion of the work, including the oiling, which cannot be done until weather conditions are favorable and until the rock surface has been prepared. Also, that the county should make available its quarries, free of cost, to the state's contractor on the oiling work.

After a lengthy discussion, the following arrangement was mutually

agreed to: Tillamook County is to settle its debt to the state for road construction purposes by the payment of \$30,000 in cash to the State Highway Commission, which said \$30,000 is to be spent by the Commission for construction on the Neahkahnie Mountain road this year in addition to the \$100,000 heretofore budgeted by the Commission for construction on this road. Tillamook County is to provide, at county expense, a rock surfacing on the three county roads under discussion for this year's federal secondary highway construction program. The county is to let the state's oiling contractor have use of its quarry site and quarry equipment, free of cost, in connection with the oiling of these roads. The state is to let a contract for the oiling of the three roads in question early enough to be sure that the work will be completed this year. It was agreed that this arrangement is tentative and subject to the approval of the Bureau of Public Roads and subject, further, to a study of the data secured from surveys of each of the roads. The Engineer was instructed by the Commission to expedite the surveys so that a definite program can be decided upon at the earliest possible time.

Major F. R. Schanck, Consulting Engineer, Portland, was present and asked the Commission for improvements on the secondary highway which extends north from Robinette to Homestead, in Baker County. He particularly requested that the old railroad tunnels on this road be opened up for traffic use so as to eliminate the necessity for traffic to use the hill route, which, he said, is almost impassable at the present time. He was informed that the Commission will inspect this road the next time it is in that vicinity.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

He said that the State Forestry Department has requested the use of 1.7 acres of land located in Casey State Park adjacent to the Crater Lake Highway, in Jackson County, on which to erect and maintain a fire warden's house. Also, that they want a deed to this tract to enable them to obtain W.P.A. funds for the construction of the building, a lease to the property being insufficient. He recommended the granting of the request provided the site is located in one corner of the park where it will not interfere with future park developments. The Commission approved the recommendation by unanimous vote.

The Parks Superintendent inquired as to the wishes of the Commission in regard to permitting overnight camping in Casey State Park. He said that for the past fifteen years a Mr. J. A. Casey has maintained a camp ground in this park, notwithstanding the fact that he has no title to the property on which his cabins are located, and is simply occupying the premises as a "Squatter"; further, that Mr. Casey has about \$20,000 invested in his business and charges a fee for camping privileges, which is contrary to the established policy of the State Highway Commission. He further stated that he has received numerous complaints from operators of private camp grounds who feel that the state should not allow overnight camping in this park or in any state park unless a charge is made for the privilege, because of the unfair competition that is created thereby. He gave as his thought that the state should not enter into this kind of business and recommended that overnight camping privileges in any of the state parks be denied. The Commission by unanimous vote

adopted the Superintendent's recommendation as its established policy in connection with such matters.

The Parks Superintendent reported that a Mr. Nick Marsh, Port Orford, has requested the privilege of trucking logs across Humbug Mountain State Park in Curry County. He recommended that the request be approved if Mr. Marsh will construct his road in the proper location and will furnish a bond guaranteeing the satisfactory cleaning up of the premises when his operations are concluded. The Commission approved the recommendation and referred the matter to the Parks Superintendent to work out.

The Commission also, upon recommendation of the Parks Superintendent, authorized Mr. Paul Schuttpelz, Lakeside, to maintain a roadway across Rhododendron State Park located adjacent to the Oregon Coast Highway about four miles south of Winchester Bay, in Douglas County, to enable him to reach property that he owns in this vicinity, provided the roadway is constructed across one end of the park in a location approved by the State Parks Superintendent rather than through the center of the park, and that it is not used for logging purposes.

The Parks Superintendent reported a request from the Eugene Campfire Girls to lease for 99 years a camp site in Honeyman State Park adjacent to the Oregon Coast Highway, in Lane County, which they occupy each summer. He said that the camp site is located in the state park and it is the desire of the Campfire Girls to maintain this area in a primitive state, which would hinder the development of the park. He also said that there is another area immediately adjacent to the park which is available to the Campfire Girls if they care to use it, and, in his estimation, would serve their purpose equally as well as the present site. He recommended that the request be denied. The Commission approved the recommendation by unanimous vote.

The Parks Superintendent brought up for discussion the matter of acquiring right of way for the Scottsburg-Reedsport Section of the Umpqua Highway. He suggested that when this right of way is acquired all of the land between the highway and the Umpqua River be secured where the river is not too far away from the highway and where the highway does not pass through improved farm land, so as to preserve such strips as recreational areas and for roadside beautification. The Commission by unanimous vote approved the Parks Engineer's suggestion and authorized the Engineer to proceed with the taking of options for right of way for the additional strips in accordance therewith.

The Commission reconsidered the matter of accepting the gift of Mr. S. C. Van Armitage, Eugene, of a 33-acre tract of land for park purposes, located adjacent to the McKenzie River and the Eugene-Coburg county road about five miles from Eugene. Action on the matter was deferred by the Commission pending inspection of the site by Chairman Cabell.

The Commission also reconsidered the purchase of cut-over lands along the Salmon River Highway, from the James Churchill estate. The Commission considered that the price asked for the land, \$8.00 per acre, is too

high and accordingly decided not to buy this property at the present time, which coincides with the action previously taken by the Commission on the same matter.

The Parks Superintendent reported that the National Park Service is desirous of conducting a state-wide survey of the recreational features of this state and has requested his cooperation in regard thereto. He gave as his thought that the state would receive considerable benefit and worthwhile information from such survey, although there would be many things connected with it that would not be of any particular interest to the state. He requested instructions. He was authorized by the Commission to show the National Park Service what Oregon has in the way of parks and recreational sites and to advise the Park Service what the state needs in this line, it being the understanding of the Commission that the National Park Service will pay all of the expenses in connection with the survey.

The Engineer brought up for discussion the matter of snow removal over the summit of the McKenzie Highway and on the Union Creek-Diamond Lake road. He said that snow removal operations have already been started on the Diamond Lake road but the snow is so deep that not much progress can be made and there is a question in his mind whether or not the operations should be continued, due to the fact that, at the best, only a one-way road could be provided and there are possibilities that another storm would come, which would undo all of the work that has been done. He suggested, therefore, the discontinuance of this work until warmer weather when benefits could be received from sun action and the cost of the snow removal work would be greatly decreased. He suggested the same procedure in regard to the removal of snow on the McKenzie Pass and on the Mt. Hood Highway. The Commission approved the recommendation by unanimous vote.

The Commission adjourned at 12:00 o'clock noon to reconvene at 1:30 o'clock p. m. in the same room.

The State Highway Commission reconvened at 1:30 o'clock p. m. in the Auditorium of the Public Service Building with all members, the State Highway Engineer, the Attorney and the Secretary present.

The Engineer reported the cost to construct a footpath on the John Day-Burns Highway between John Day and Canyon City as has previously been requested by the Board of Directors of the Union High School District at that place for the benefit and safety of school children. He estimated that such footpath would cost about \$2,354 and recommended the expenditure provided the school district will assume the responsibility of keeping the footpath open during the winter season, the Highway Department's snow removal equipment being unsuitable for such work. The Commission approved the recommendation by unanimous vote.

The Commission considered and ordered filed the Engineer's report on the cost of automobile operation during the period December 1, 1935, to December 1, 1936, which report reveals that the average cost to operate state

highway department cars per mile is \$0.02811.

The Commission also discussed a letter from the Attorney relative to the refusal of certain house-moving contractors to carry out their proposals to move buildings in connection with state highway improvements. It appears that in two instances the contractors have refused to proceed with the moving of buildings in accordance with their agreements with the Commission and it is the Attorney's suggestion that such contractors should be penalized in some manner so that the state will not incur loss by reason of the failure of the contractor to perform the work which he has agreed to do. The Attorney requested the adoption of a policy in regard to the matter for his future guidance. In the discussion of this matter it developed that house-moving contractors have not been required to make a deposit with their bid to show good faith in the carrying out of their agreements, the reason being that some of them are not financially able to make such deposit, and, if the state insists on this requirement, they will have to stop bidding on state work, with the result that competition would be narrowed down to only a few bidders and the cost to move houses would probably increase. After considerable discussion the Commission decided to continue its present practice of requiring no deposit in connection with house-moving work unless the contractor refuses to do the work required of him. In cases where the contractor refuses to perform the work that was awarded to him he is not to be foreclosed from bidding on future house-moving work with the Commission but he is to be required to deposit with each bid a certified check or bond in the amount of five per cent of the bid, which deposit will be forfeited to the state in the event that the contract is awarded to him and he defaults in the performance thereof.

A delegation from Reedsport, representing the Chamber of Commerce and consisting of W. A. Burdick, President, William A. Lovelace, member, and E. H. Ford, Mayor of Reedsport, came before the Commission in the interests of the Umpqua Highway, particularly the Scottsburg-Reedsport Section. They asked that future improvements on this road, whether temporary or otherwise, be constructed on permanent alignment. Mr. Lovelace said that the condition of this road is now very hazardous, that numerous fatalities have occurred on account of existing conditions, and they feel that any additional work that the Commission might do on the road should be on a permanent basis. Mr. Burdick suggested a four-year program to complete the reconstruction of this section. He advised that the Port of Umpqua is now spending about \$1,000,000 for harbor improvements on such basis and they would like to have the highway completed on permanent basis at the same time. Mr. Ford pointed out that the present road is narrow and contains numerous sharp curves which are hazardous to traffic. It was his thought that accidents and loss of lives that occur on the road justified the improvement at an early date. He suggested that the road be graded on permanent alignment now and let the oiling work go until later.

Chairman Cabell advised that it would be impossible for the Commission to rebuild this section now because of scarcity of funds, this being a million dollar project. He pointed out that the Commission has spent several million dollars recently for the construction of the Coast Highway bridges and feels that it would not be treating other parts of the state fairly if it now

started out on another million dollar project in this vicinity. He advised that the Commission did budget \$120,000 for oiling the 16-mile section in question during 1936 and 1937 because it was thought best to do this rather than to wait an indefinite time to rebuild the road on permanent basis; however, last year's oiling work was done too late in the season and was not entirely satisfactory, which the Commission regrets, so it is the plan of the Commission to recoil this section this year and to oil the remaining section, which should at least provide relief from the mud and dust nuisance.

The Engineer advised that this road is no worse than several places on the Pacific Highway that are carrying ten times the volume of traffic. It was his thought that, with the construction of some guard fence, the reconditioning of the oiling that was done last year, and the oiling of the balance of the road, which is in this year's program, the road will be in very fair condition.

Mr. Ford then asked the Commission to oil the pavement shoulders for a distance of three blocks along the Umpqua Highway in the city of Reedsport, particularly along "L" Street between Twelfth and Fifteenth Streets. He said that the concrete curbs have not yet been constructed but the property owners will have this done at their own cost and expense if the state will do the oiling work. The Commission referred this matter to the Engineer for investigation and report.

Mr. John Boyer, Jr., was present and discussed with the Commission the matter of preservation of timber along the Salmon River Highway. He mentioned the offer of the Churchill Estate to sell its land only at \$8.00 per acre and gave as his thought that this is not an exorbitant charge considering that other land in the same vicinity is selling for \$100.00 per acre. He further advised that the Churchill Estate will not sell its property in less than 40-acre tracts, but is willing to sell the land and the timber to the state in parcels of this size and will repurchase the timber that the state does not want, the same to be paid for as it is logged. He gave as his thought that this is a good proposition and that the state would eventually secure a timber strip along the highway at little or no expense inasmuch as the sale of the timber will pay the cost of the land.

The Commission thanked Mr. Boyer for his suggestion but advised him it would involve too great an outlay of state money which should be expended for road construction rather than for the purchase of timber, hence the Commission cannot approve the proposition at this time.

A delegation from Silverton, consisting of Dr. P. A. Loar, George W. Hubbs, Earl J. Adams, C. G. Rue and R. B. Duncan, representing the Silverton Chamber of Commerce, conferred with the Commission in regard to a new highway extending south from Barlow, in Clackamas County, through Monitor and Silverton to a connection with the Silver Creek Falls Secondary Highway; thence along the Silver Creek Falls Secondary Highway and a proposed extension thereto, southeasterly, to a connection with the North Santiam Highway near Mehama, in Marion County. They urged the adoption of this route as a new

short-cut highway between Portland and Central Oregon. They pointed out that for the most part the road has been constructed and a large portion of it is paved. They particularly urged the construction of the northerly end between Barlow and Silverton at the earliest possible time.

The delegation was informed that it is contrary to the established policy of the Commission to place any more roads on the state secondary system at the present time but that the Commission has now under consideration the selection of roads for a Federal Aid Secondary Highway System to be financed with federal moneys that have been appropriated for secondary or feeder road construction, and will be glad to consider this project along with others when such matters are discussed with the county courts later in the year.

Mr. H. F. Morrison, representing Morrison Trucking Company, contractors, and Mr. C. A. Fenlason, his attorney, Portland, came before the Commission in regard to the company's claim against the Commission for damage to its property arising out of construction of the East Portland-Oregon City Highway in Portland. It appears that none of the company's property was actually taken for right of way but the company alleges that its property was damaged by reason of change of grade in city streets adjacent thereto, so it has presented a claim to the Commission for damages in the amount of \$5,385.00, under authority of the law enacted by the 1937 Legislature.

Chairman Cabell advised that there is no dispute about several of the items but there is a question about others, and, inasmuch as the Commission wants to arrive at a fair settlement with the company, the matter will be taken under advisement for the time being. The Commission thereupon referred the matter to the Engineer to check the various items and render a report thereon.

At 3:00 o'clock p. m. Chairman Cabell announced the following awards of contracts for which bids had been opened at the morning session, the awards having been previously approved by the Commission by unanimous vote:

"Columbia County Oiling Project on two sections of county road, in Columbia County. 5.35 miles crushed rock surfacing and oil mat surface treatment. The low bid was that submitted by Babler Bros., Portland, at \$25,574.50, based on the use of tar. They did not bid on the use of road oil. The next low bid was that submitted by Warren Northwest, Inc., Portland, at \$26,796.75, based on the use of tar. This company also did not bid on the use of road oil. There were three higher bidders. The Commission has awarded the contract to the low bidder, Babler Bros., at their bid price of \$25,574.50 based on the use of tar.

"Memaloose Park-Dillon and John Day River-Blalock Sections of the Columbia River Highway, in Gilliam, Sherman and Wasco Counties. Furnish 13,000 cubic yards crushed rock in stock pile. The low bid was that submitted by H. L. Rice, Portland, at \$21,772.00. The next low bidder was Joplin & Eldon, Portland, at \$24,087.00. There were

nine higher bidders. The Commission has referred the bids to the Engineer with power to award the contract to the low bidder, H. L. Rice, when certain conditions have been satisfied.

"Fort Klamath-Chiloquin Section of The Dalles-California and Chiloquin Highways, in Klamath County. Furnish 8,500 cubic yards crushed rock in stock pile. The low bid was submitted by A. S. Wallace, Roseburg, at \$17,680.00. The next low bid was that of A. Milne, Portland, at \$24,975.00. There were two higher bidders. The Commission has referred the bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Rocky Point Section of the Columbia River Highway, in Multnomah County. 1.05 miles grading and Portland cement concrete pavement. The low bid was submitted by Oregon Contracting Company, Portland, at \$86,366.00. The next low bid was that of Kern & Kibbe, Portland, at \$88,938.00. There were four higher bidders. The Commission has awarded this contract to the low bidder, Oregon Contracting Company, at their bid price of \$86,366.00.

"Willamina Rock Production Project on the Salmon River, McMinnville-Tillamook and Dallas-Coast Highways, in Polk and Yamhill Counties. Furnish 10,000 cubic yards crushed gravel and rock in stock piles. The low bidder was Harold Blake, Portland, at \$21,900.00. The next low bidder was Babler Bros., Portland, at \$22,500.00. There were three higher bidders. The Commission has referred the bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Shaniko Section of the Sherman Highway, in Wasco County. 4.47 miles surfacing and 4.83 miles oil mat surface treatment; also furnish 2,250 cubic yards crushed rock in stock pile. The low bid was submitted by Joplin & Eldon, Portland, at \$46,963.00. The next low bid was submitted by Edwin C. Gerber, Oregon City, at \$51,322.00. The Commission received six other bids for this job. The contract has been awarded to the low bidder, Joplin & Eldon, at their bid price of \$46,963.00.

"Forest Grove-Hillsboro Section of the Tualatin Valley Highway, in Washington County. 4.98 miles grade widening and 4.72 miles asphaltic concrete pavement. The Commission received six bids for this job, the low one being that of Warren Northwest, Inc., Portland, at \$102,941.00. The second low bid was that of Harold Blake, Portland, at \$104,683.00. The Commission has referred the bids to the Engineer with power to award the contract to the low bidder, Warren Northwest, Inc., at their bid price of \$102,941.00, when certain conditions have been satisfied.

"Sale of residence building located at 4218 S. E. Eighth Avenue, Portland. The Commission received only one bid for this building,

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being that of Sullivan Wrecking Company, Portland, at \$46.98. The Commission considers that this bid is satisfactory and has sold the building to Sullivan Wrecking Company at its bid price of \$46.98."

A delegation from Eugene, consisting of John F. Durr, Secretary, Eugene Chamber of Commerce; William P. Walter, Secretary of the Kiwanis Club and the Y.M.C.A.; and J. Dorr Hamlin, representing the Rotary Club and the Obsidian Club, Inc., was present and asked for snow removal on the McKenzie Highway at the earliest possible time in order to provide a means for auto communication between Central Oregon and Eugene. They urged the opening of this road from the commercial standpoint and for the benefit of winter sports enthusiasts, and presented a brief in support of their oral arguments. They also presented a resolution from the Common Council of the City of Eugene, requesting this improvement. The Engineer advised that it would be a very expensive proposition to open the road over the summit at this time because of immense snow drifts and that it could be done much more cheaply later on with the aid of the elements. He suggested that it would be advisable to wait until there is no possibility of late storms occurring and full advantage can be taken of the help of Nature. The Commission approved the Engineer's suggestion but instructed him to investigate snow conditions on this road and over Hogg Pass on the Santiam Highway and to render a report thereon, including an estimate of cost to open them up for travel. He was also instructed to ascertain whether or not the U. S. Forest Service will open up the Belknap Springs-Clear Lake road, as was done last year, if the Commission will open up the Santiam Highway over Hogg Pass, which would provide a route for traffic between Eugene and Central Oregon pending the opening of the McKenzie Highway.

Mr. Durr also asked the Commission to include in its 1937 program the oiling of the McKenzie Highway between the summit and Belknap Springs. He said that the road as now constructed is rough and dusty and is extremely dangerous to travel during dry weather. He was informed that the Commission would like to oil this road this year and will do so if it can spare the money to finance the work.

Mr. Durr also inquired as to the plans of the Commission for the completion of the Willamette Highway. He was informed that present plans contemplate the completion of the grading work in about two years and that faster progress cannot be made because of lack of funds to finance construction, which is very expensive.

Mr. Hal D. Farmer, Senior Highway Engineer, Bureau of Public Roads, was present and discussed with the Commission the question of the relocation of the Columbia River Highway between Eagle Creek and Cascade Locks. He suggested a location nearer the river than the one proposed by the State Highway Engineer, because, he said, it provides a much clearer view of the Bonneville Dam and can be constructed for about \$30,000 less than the State Highway Engineer's line, which involves construction of the highway through a 60-foot cut for a distance of about 800 feet. He also said that the Bureau's location contains more curvature than the line proposed by the State Highway Engineer,

which is on a tangent, but the curves are not sharp and will not be objectionable from the travel standpoint. It was his thought that the savings in cost of construction and the fact that tourists traveling this road will have a view of the Dam for a distance of two thousand feet along the highway instead of at one point only, as will obtain along the line proposed by the State Highway Engineer, fully justifies the adoption of the location he suggests.

The State Highway Engineer recommended against the approval of the location proposed by Mr. Farmer and urged the adoption of the line laid out by the Highway Department's engineers, because it follows projections made and approved by the Union Pacific Railroad Company officials, who consider it to be the safest position for any highway that could be built across the Ruckels Slide. It was his thought that the introduction of additional curvature in the alignment is unnecessary and unwarranted; also, that there is more danger of a slide occurring if the toe of the slide section is removed than if the highway is constructed near the top of the slide area. He pointed out that the adoption of the Bureau's alignment would require the removal of a grove of beautiful trees on the hillside, which is at variance with the Commission's policy with respect to the preservation of natural roadside beauty. He further explained his plans for widening and landscaping a parking space about 800 feet long adjacent to the highway, near the Dam site, which would afford a much better view of the Dam than could be obtained by one traveling along the highway where no provision has been made for parking. He also said that numerous surveys of alternate routes at this location have been made and that he has given this matter very careful study and is of the firm opinion that the highway should be built on a straight line for permanency, because, if it is not built in that manner now, it is quite likely that some other highway commission in the future will change it and the moneys expended for construction on the improper alignment will have been wasted.

After considerable discussion of this matter, motion was made by Commissioner Aldrich that the location proposed by the State Highway Engineer be adopted as a permanent line for this highway, along this section. The motion was duly seconded by Commissioner Tou Velle and was declared by Commissioner Cabell to have carried by the unanimous vote of the Commission.

The Engineer brought up for discussion the question whether or not the grading project proposed for this year's construction on this section should be enlarged to include the grading and surfacing of the entire section. He pointed out that \$150,000 of forest highway funds have been allocated for grading a portion of the section and advised that to grade and surface the entire section would cost an additional \$100,000, or a total of \$250,000. (Mr. Farmer estimated the entire work at \$350,000.) He suggested that the additional amount could be obtained by transferring \$100,000 of forest highway funds from the Santiam Highway and replacing the same with a like amount of federal aid funds from the allocation heretofore made to the Troutdale-Dodson project, which is dependent on the dredging work that the Government proposes to perform in the Columbia River channel between these points. He advised that such change would not affect the South Santiam Highway project because it would receive the same amount of money, the only difference being in the class of funds

that are to be used to finance this work; furthermore, it would not seriously affect the Troutdale-Dodson project because Congress has not yet appropriated funds to pay the cost of its dredging work in the Columbia River channel. After a full discussion of this matter, the Commission decided to make no change in the present set-up of funds and to let the Bureau of Public Roads proceed with the contracting of its forest road project between Eagle Creek and Cascade Locks, in accordance with the original plan, pending action by Congress on the bill appropriating funds for the Columbia River channel dredging work, the idea being that, if Congress does not make an appropriation for the dredging work, then the transfer of funds as suggested by the Engineer can be put into effect.

The Engineer reported on the cost to construct a temporary sidewalk along the Oregon Coast Highway through the Bunker Hill district south of Marshfield, as previously ordered by the Commission, pursuant to the request of residents of this district. He estimated that such sidewalk would cost \$574. He gave as his thought that such expense is not justified in view of the fact that the Commission contemplates the reconstruction of the highway through this district this year. He suggested that a decision on the sidewalk matter be deferred until the surveys for this project are completed and it is known definitely whether or not the sidewalk will come within the limits of the proposed project. The Commission approved the suggestion unanimously.

The Commission had under consideration reports from Maintenance Engineer J. N. Bishop and Construction Engineer H. G. Smith relative to the cost to resurface and oil the Coos River Secondary Highway between its junction with the Oregon Coast Highway and the town of Eastside, which work has been requested by the City Council of Eastside. Mr. Bishop's report was made on the basis of providing a temporary improvement. He estimated that such improvement would cost about \$1,800 per mile, or \$1,026 for the entire section, which is 0.57 mile long. Mr. Smith estimated that a permanent improvement would cost about \$6,000. The State Highway Engineer favored construction on the permanent basis and recommended construction this year on such basis. The Commission approved the recommendation by unanimous vote and ordered that the work be paid for with state funds, the rock for the project to be furnished under purchase order and the oiling work to be done by one of the state's oiling crews when it is in that vicinity.

The Engineer also reported the condition of the pavement surface on the drawspan of the Isthmus Slough Bridge, which is on this section, it having been alleged by members of the Eastside City Council that the pavement is very slippery and is the cause of frequent traffic accidents. He said that the drawspan has a Port Orford cedar deck covered with asphalt-treated plank, which type of deck has always been considered as being free from slipperiness; further, that it is not practical to place a greater dead load on the drawspan because it would affect the counterweight system; hence, there is a question whether or not the deck should be provided with an additional nonskid surface. After discussion and in view of the statement of the councilmen relative to the frequency of accidents that have occurred on this structure, the Commission ordered further investigation as to existing conditions before taking definite action.

The Commission considered and ordered filed for future consideration newspaper clippings from the Daily Journal of Commerce, Portland, relative to a new secondary highway extending westerly from the town of Grass Valley, in Sherman County, to the Wapinitia Highway via Sherar Bridge and Wamic, which highway is being sponsored by certain businessmen of Wasco, Sherman and Gilliam Counties.

The Commission also considered and ordered filed for future consideration the report of the Engineer on the cost to reconstruct the Pacific Highway in the city of Ashland to eliminate the present sharp turn at what is known as the Plaza Corner. The Engineer estimated that the project would cost about \$55,000, of which construction costs would amount to \$17,000 and right of way about \$38,000.

The Engineer reported a dangerous condition at the intersection of Denver and Union avenues, just south of the Interstate Bridge between Portland and Vancouver, Washington. He said that increased volume of traffic and increased speed of vehicles has rendered this section extremely hazardous and that such condition is growing worse as time goes on. He recommended, in view of the fact that apparently it will be some time before the grade separation structure that is planned for this intersection is constructed, that it would be well to require all traffic to stop before entering Union Avenue at this point and at other points between the bridge and the Portland city limits; and, as a further safeguard, to erect and maintain over the highway at the Denver Avenue intersection, a flashing beacon such as is now being installed at certain intersections on the East Portland-Oregon City Highway. The Commission approved the Engineer's recommendation and authorized him to install such flashing beacon and to post the highway as a through street.

The following resolution designating Union Avenue a through street was adopted by the Commission by unanimous vote:

WHEREAS, the Pacific Highway from the boundary line between the states of Oregon and Washington to the north city limits of the City of Portland is a portion of a state and federal highway in the State of Oregon, and is therefore one of the main-traveled or through highways of the state and there moves over said highway an unusually large volume of vehicular traffic; and

WHEREAS, between said designated termini there are several roads and/or highways which enter or intersect said Pacific Highway and over which entering or intersecting highways there moves a large volume of vehicular traffic; and

WHEREAS, it is the judgment and opinion of the Commission that said Pacific Highway between said points should, under the authority of Section 55-2325, Oregon Code 1935 Supplement, be designated and recognized as one of the main-traveled or through highways of the state, and that there should be placed at the entrances thereto from intersecting highways signs or markers notifying drivers of vehicles to stop before entering or crossing said highway.

NOW, THEREFORE, BE IT RESOLVED by this Commission, all members being present and affirmatively voting, as follows:

1. That the Pacific Highway between the boundary line between the states of Oregon and Washington and the north city limits of the city of Portland be, and the said section of said highway hereby is, designated as one of the main-traveled or through highways of the state, and it is hereby ordered that at all places where highways enter said Pacific Highway between said points there be placed signs or markers notifying drivers of vehicles to stop before entering or crossing said Pacific Highway.

2. The State Highway Engineer hereby is directed to place and maintain suitable markers or signs in keeping with the orders of this Commission as disclosed in this resolution and as provided for in the said law.

3. That a copy of this resolution be entered in the minutes and records of the State Highway Commission.

The Engineer reported the necessity to rebuild the substructure under the west approach to the Willamette River Bridge at Salem. The Commission authorized him to proceed with such improvement, which he estimated would cost about \$16,000, by contract to be paid for with state funds.

The Commission considered and signed an agreement with the O.W.R. & N. Company and the Union Pacific Company providing for removal of snow throughout the Columbia River Gorge.

The Engineer brought up for discussion the matter of the approval of additional W.P.A. projects on the Wilson River Highway and the Wolf Creek Highway. The Commission decided, after discussion, that it would not approve any additional W.P.A. projects on these roads until the projects now under way have reached a status of practical completion. The Engineer was instructed to convey such information to Mr. E. J. Griffith, State W.P.A. Administrator.

Reconsideration was given by the Commission to the matter of placing the Interstate Avenue-Denver Avenue approach to the Interstate Bridge, Portland, on the State Highway System and on the Federal Aid Highway System in order to legalize the expenditure of state and federal funds thereon. It was the decision of the Commission that it would be proper to so designate this connection and it was so ordered, subject to approval by the Bureau of Public Roads as to the placement of same on the Federal Aid Highway System. The following resolutions in regard thereto were adopted by the Commission by unanimous vote upon motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle:

WHEREAS, a highway from the north city limits of Portland to the Interstate Bridge over the Columbia River between Vancouver, Washington, and Portland, Oregon, has never been designated and established as a state highway; and

WHEREAS, said highway carries a large volume of state and interstate traffic and there is urgent public demand that a highway over such route be declared and designated as a state highway and constructed and maintained as a part of the state highway system; and

WHEREAS, this Commission has caused a survey and map of said proposed route to be made and filed in the records of the Commission at Salem, Oregon; and

WHEREAS, in the judgment of the Commission the said proposed highway and its location, construction, improvement and maintenance as a public highway and as a part of the state highway system is deemed of sufficient importance to warrant the designation and adoption of said highway as a state highway and as a part of the state highway system and is of sufficient public importance to warrant and authorize the construction, improvement and maintenance of such highway with state highway funds in the same manner that other state highways are constructed and maintained;

THEREFORE, BE IT AND IT HEREBY IS RESOLVED that that certain highway hereinafter described be and the same hereby is designated and adopted as a state highway, and hereby is made a part of the state highway system, which said highway shall be known as a part of the Pacific Highway West, and otherwise designated as State Highway No. 3, and is described more particularly as follows, to wit:

Beginning at a point on the previously adopted route of the Pacific Highway, said point being near the south end of the Interstate Bridge over the Columbia River, thence in a southerly direction for a distance of approximately two (2) miles to a point on North Interstate Avenue in the City of Portland, which point is at or near the intersection of North Interstate Avenue and North Kilpatrick Street.

BE IT FURTHER RESOLVED that the survey, field notes, maps, and other engineering notes and field data relative to the location and survey of said proposed highway be and the same hereby are approved and are adopted and ordered filed in the records and files of the Commission at Salem, Oregon, and said survey, route and location, subject to such modifications and changes as may be deemed necessary by the Highway Commission, shall be the survey and location of said highway.

BE IT FURTHER RESOLVED that the Secretary of the Commission be and he hereby is instructed to enter this resolution in the minutes of the Commission and to transmit a certified copy thereof to the following parties: Board of County Commissioners of Multnomah County,

Mayor of the City of Portland, the United States Bureau of Public Roads and the Oregon State Motor Association.

WHEREAS, the Commission heretofore, to wit: on September 14, 1932, by resolution duly adopted and entered in the minutes of the Commission, submitted to the Bureau of Public Roads certain state highways for adoption as parts of the federal aid system of roads, and by said resolution the Commission declared that there are other and additional highways in the State of Oregon which, in the judgment of the Highway Commission, are qualified for incorporation into the Federal Aid Highway System, and which other and additional roads the Highway Commission purposed from time to time to recommend to the United States Bureau of Public Roads for inclusion in the Federal Aid Highway System; and

WHEREAS, by resolution duly adopted and entered in the minutes of the Commission, the Commission adopted and designated as a state highway the following route or road, to wit:

Beginning at a point on the previously adopted route of the Pacific Highway, said point being near the south end of the Interstate Bridge over the Columbia River; thence in a southerly direction for a distance of approximately two miles to a point on North Interstate Avenue in the City of Portland, which point is at or near the intersection of North Interstate Avenue and North Kilpatrick Street; and

WHEREAS, traffic using said highway from said last named termini is directed southerly over North Interstate Avenue and Broadway to an intersection with West Burnside Street; and

WHEREAS, it is the judgment of the Commission that said highway and route should be made a part of the Federal Aid Highway System;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission, all members being present and participating, that there be submitted to the United States Bureau of Public Roads for adoption as an addition to the primary or interstate and secondary or intercounty highway system of the State of Oregon under the Federal Aid Highway Act that particular highway and route:

Beginning at a point on the previously adopted route of the Pacific Highway, said point being near the south end of the Interstate Bridge over the Columbia River; thence in a southerly direction for a distance of approximately two miles to a point on North Interstate Avenue in the City of Portland, which point is at or near the intersection of North Interstate Avenue and North Kilpatrick Street; thence southerly over North Interstate Avenue and Broadway to an intersection with West Burnside Street.

BE IT FURTHER RESOLVED that a copy of this resolution be entered in the minutes of the Commission and a duly certified copy thereof transmitted to the United States Bureau of Public Roads, and the adoption of the foregoing highway and route as a part of the said federal system of highways be respectfully recommended by this Commission.

Chairman Cabell was again authorized by the Commission to contact the Portland city officials relative to the maintenance of this street and other streets in Portland over which state highway traffic is routed.

The Attorney brought up for discussion the matter of the state's claim against one C. L. Christenson, Forest Grove, whose automobile was involved in an accident with a state highway department truck, necessitating costly repairs to the state equipment, for which he was billed. He said that both Mr. and Mrs. Christenson were badly hurt in the accident, which occurred on the highway about a mile west of Damascus, in Clackamas County; and, notwithstanding the fact that Mr. Christenson's car was on the wrong side of the road, there is a question whether or not the state could collect for damages in view of the circumstances surrounding the case. He recommended, therefore, that the claim be waived. The Commission approved the recommendation by unanimous vote.

The Engineer brought up for discussion the matter of widening the Oregon Coast Highway through the Jessie M. Honeyman State Park area in western Lane County. It appears that the State Parks Superintendent has plans for landscaping the highway right of way through this park, including the planting of shrubs, et cetera, on the excavation and embankment slopes and for which he proposes to spend about \$4,000, but hesitates to proceed with this work in view of the fact that the highway has not been constructed on permanent basis and he is fearful that his work will be destroyed when the highway is widened at some future date; so he is requesting the state to do this widening work now so there will be no question about the permanency of his improvement. The Engineer advised that the Commission has no plans for the immediate reconstruction of this section of the highway and probably will not have for a number of years. He recommended, therefore, that the Parks Superintendent be instructed to proceed with the planting of the slopes as they are now constructed. The Commission approved the recommendation unanimously and so ordered.

The Commission considered and ordered filed several bulletins from the American Road Builders Association calling attention to the attitude of Congress relative to the diversion of revenues that have been provided by the several states for highway construction, and to penalties that may be imposed on the states for permitting such diversions.

The Commission reconsidered the matter of granting a revocable permit to one E. T. Stenseth, Yoncalla, to cross state property in order to reach a fishing point on the Umpqua River near Scottsburg. The Engineer advised that, if such permission is given Mr. Stenseth, it will probably increase the value of gravel bars and will cause the state to pay an excessive price for the same. He explained that property owners have repeatedly objected to the

selling of gravel bars because it means that when they lose ownership of the same a way is opened for the general public to have access to valuable fishing rights along the river. He recommended, therefore, that Mr. Stenseth's request be denied. The Commission approved the recommendation by unanimous vote and instructed the Secretary to so inform Mr. Stenseth.

The Commission approved the Engineer's letter of March 3, 1937, to Mr. Edward C. Pease, The Dalles, Oregon, in regard to the proposed designation of an alternate route for the Columbia River Highway through the city of The Dalles, wherein the Engineer stated that the Commission is of the opinion that the route suggested by Mr. Pease for bypassing the congested district of The Dalles is the most feasible but that the time is not right for the construction of the same.

The Commission considered and denied a request from Mr. Claude Kilian, La Grande, to truck logs over the Wallowa Lake Highway between Joseph and Enterprise during Saturday afternoons, it being the Commission's thought that such operations on this highway during the restricted period will create an undue hazard to other traffic, this being considered a recreational highway.

Reconsideration was given by the Commission to the matter of designating as a secondary state highway the county road which extends from the town of Joseph to the upper end of Wallowa Lake, in Wallowa County, a distance of approximately six miles. The Secretary reported receipt of a resolution from the County Court of Wallowa County formally requesting that this road be selected and designated as a secondary state highway. The Commission approved the resolution and thereupon by unanimous vote adopted the following resolution placing this road on the secondary state highway system, the motion being made by Commissioner Aldrich and being duly seconded by Commissioner Tou Velle:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Wallowa County Court of the State of Oregon, has selected the highway hereinafter described, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with the other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following named highway, route, or location of a highway in Wallowa County be and the said highway, location, or route hereby is selected, designated, established, adopted, and approved as a secondary state highway, and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Joseph-Wallowa Lake Secondary Highway No. 351

Beginning at the City of Joseph; thence extending in a southerly direction to the south end of Wallowa Lake, a distance of approximately 6 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931, and Chapter 196, Oregon Laws of 1935, and amendments thereof.

The Engineer suggested an expenditure of about \$2,500 this summer for temporary oiling work on the Wallowa Lake Secondary Highway in order to alleviate the dust nuisance which prevails during the dry season; and that consideration be given to the future improvement of this road in the Federal Aid Secondary Highway System when the program is arranged for the federal aid monies that are required to be expended on such system. The Engineer's suggestion was approved by the Commission by unanimous vote and it was so ordered.

The Engineer reported that on March 24, 1937, in accordance with authority previously given him by the Commission, he awarded to Warren Northwest, Inc., Portland, the contract for the construction of the Shedd-Halsey Section of the Pacific Highway, in Linn County, this company having submitted the low bid for such work on February 18, 1937. The Commission approved the award of this contract as reported by the Engineer.

The Commission also approved the sale of the following houses in Roseburg, bids for which were received by the Commission on February 18, 1937, the Engineer having reported that he has investigated the bids and in his estimation the prices offered are satisfactory: Building "C", sold on March 22 to J. D. Sanders for the sum of \$25; Buildings "G" and "H", sold on March 12 to S. W. Starmer for \$350; and Building "D", sold on March 24 to F. F. Criteser for \$400.

Reconsideration was given by the Commission to the matter of deeding to the city of North Bend the old ferry-landing site at the south side of Coos Bay. The Engineer recalled that the Commission at one time authorized the transfer of title to this property but it now develops that previous arrangements had been made for the use of the material salvaged from both ferry slips in the construction of a drawbridge across Catching Slough on the Coos River Secondary Highway, which it is proposed to build as a P.W.A. project; in fact, the P.W.A. application specified the use of the ferry-slip materials in this bridge, and, if they cannot now be used, new materials will have to be

substituted, which will cost the state about \$17,000. He recommended, in view of the circumstances, that the deed heretofore signed by the Commission conveying the ferry slip to the city of North Bend be not delivered until all of the materials that are needed for the bridge have been salvaged. The Commission approved the Engineer's recommendation and so ordered.

The Commission also reconsidered the matter of deeding to the city of Newport the old highway approach to the ferry slip at South Beach on the south side of Yaquina Bay, which is not now needed for state highway purposes since completion of the Yaquina Bay Bridge. It was explained that the Commission at a previous meeting authorized the deeding of the old roadway across the sand spit to the city of Newport, if it wanted it, but it is now the opinion of the Attorney that this cannot be done because the road is located outside of the corporate limits of the city of Newport and there is a question whether or not the city has authority under its charter to assume the responsibility for the maintenance of a road in such location and if investigation reveals that the city does not have such authority, then the deeding of the road to the city will not relieve the Commission from its obligations in regard thereto. The Commission decided, in view of the Attorney's opinion, that no attempt should be made to give this road to the city of Newport; and that it might be advisable to barricade it at the south end of the sand spit so that no traffic whatsoever could use it. During the discussion, it was reported that certain logging interests are using the road over which to haul logs to the old ferry landing, and, if the road were barricaded, it would inconvenience these operators considerably. For this reason the Commission decided to defer definite action on the matter of closing the road until the next meeting. The Engineer was instructed to investigate the report on the logging matters and advise the Commission in regard thereto at such meeting.

The Commission also referred to the Engineer for investigation a resolution of residents and property owners of Glenada, who have asked the Commission to turn over to the community of Glenada the abandoned ferry slip at the south side of the Siuslaw River for use by fishermen as a landing place for boats, it being alleged that there is no other suitable landing place available.

The Commission considered and ordered filed a letter from W. H. Lynch, District Engineer, Bureau of Public Roads, transmitting correspondence from a Mrs. Charles Anderson, Baker, Oregon, regarding a proposed road from Durkee to Bridgeport, in Baker County.

A letter was presented from Mrs. Ernest C. Dalton, St. Helens, President Oregon Federation of Garden Clubs, transmitting a newspaper clipping which indicates that large quantities of ferns are being gathered along the Oregon Coast Highway in Lincoln and Tillamook Counties, for commercial purposes. In view of the fact that the removal of ferns from the roadside is contrary to the Highway Commission's policies relative to the preservation of roadside beauty, the Commission ordered that this matter be called to the attention of Mr. Pray, Superintendent of the Department of State Police, with a request that he take action as may be necessary to the end that this practice be discontinued.

A letter was presented from the Hydro-Electric Commission of Oregon advising that one Mr. E. D. Nutter, Grand Ronde, Oregon, has applied for a water right to appropriate two second-feet of water from Louie Creek, a tributary of the Little Nestucca River, at Dolph, in Tillamook County, to be used in connection with a power plant development at this place; and that Mr. Nutter contemplates constructing an open flume to deliver water to an overshot water wheel in close proximity to the highway, and an inverted siphon under the highway bridge across Louie Creek. He inquired whether or not the Highway Commission has any objections to the issuance of such water right in view of the proximity of the flume and siphon to the highway. The Engineer recommended that a permit be not granted to Mr. Nutter to construct any part of his power plant on the highway right of way. The Commission approved the Engineer's recommendation and ordered that the Hydro-Electric Commission be so advised.

The Commission considered and ordered filed in the department's records communications as follows:

Letter from the Eugene Chamber of Commerce, urging completion of the Willamette Highway.

Resolution from the Burns Chamber of Commerce urging that the Congress of the United States be petitioned to make immediate appropriation of additional funds for financing highway construction across federal lands in the western states, said appropriation to become immediately available with the commencing of the new fiscal year, July 1, 1937.

Resolution from the Port Orford Chamber of Commerce indorsing the request of the city of Bandon for the construction of a new highway following the shore line of the Pacific Ocean north from Bandon to a connection with the Oregon Coast Highway at North Bend, in Coos County.

The Commission reconsidered the matter of construction of the Port Orford Dock road at Port Orford, Curry County. In this connection the Secretary reported no response from the Curry County Court or the City of Port Orford as to whether or not the county or the city will acquire the right of way upon which this project depends. The Engineer submitted three substitute projects in Curry County that are eligible for the funds heretofore set up for the Port Orford Dock project and recommended the reallocation of the funds to the county road which extends easterly from the Oregon Coast Highway at a point about three miles north of the town of Wedderburn, commonly known as the Bagnells Ferry-Alf Millers Market Road. He said that this is an important county road and that a three-fourths mile section thereof could be graded and surfaced for the \$10,000 that is available by reallocation of the Port Orford improvement money. The Commission, after discussion, approved by unanimous vote the recommendation of the Engineer, subject to the condition that the city of Port Orford does not obtain the right of way for the Port Orford Dock road at once. The Secretary was instructed to bring this matter to the attention of the city officials of Port Orford for their information. The Engineer was authorized by the Commission to ask the Bureau of Public Roads to approve such transfer of funds if the right of way is not furnished immediately.

The Secretary presented resolutions from Kellog Grange No. 811, Lower Umpqua Grange No. 858, Smith River Grange No. 585, and Fred Witherly Grange No. 852, all of Douglas County, wherein the State Highway Commission was urged to immediately investigate the condition of the Elkton-Sutherlin Secondary State Highway and to perform as much permanent construction thereon as is possible. The Engineer advised that this secondary highway is approximately 28 miles in length and extends from the Pacific Highway south of Sutherlin to a connection with the Umpqua Highway at Elkton; that it has a gravel or rock surface throughout the entire length but is in need of improvement, especially two sections thereof, which are of low-standard construction, one being the Kesterson Hill Section, about 1.5 miles in length, and the other a six-mile section extending from the Pacific Highway to Dodge Canyon. The Kesterson Hill Section, he said, has a surfacing only twelve feet wide and contains a ten per cent grade. He estimated that it would cost about \$35,000 to reconstruct it. He also said that the surfacing on the other section is in fair condition but the road is very crooked, and to reconstruct it, including the surfacing, would cost about \$140,000. After a discussion, the Commission instructed the Secretary to transmit this information to the several granges and to state, further, that, while the Commission is not in position to make any promises at this time, the project will be considered along with others when the Federal Aid Secondary Highway program is arranged.

The Commission considered and approved the Engineer's letter of March 16, 1937, directed to P. F. Morgan, Sutherlin, Oregon, regarding the relocation of the Pacific Highway in the vicinity of Sutherlin, in which the Engineer advised that a reconnaissance survey has been made to ascertain the possibilities of several routes for the permanent highway location at this point, but action thereon by the Commission has been deferred because there is no immediate prospect for undertaking the improvement.

The Secretary presented a letter from the County Court of Jackson County requesting the oiling, this year, of the unrolled section of Sams Valley Secondary State Highway between the town of Sams Valley and its connection with the Crater Lake Highway, a distance of about ten miles. The Engineer estimated that it would cost about \$47,000 to resurface the road in order to stabilize the grade and to oil the same. He further stated that there are not sufficient funds to perform all of this work but it might be possible to improve two short sections which are particularly in need of improvement. The Commission deferred definite action on the matter pending inspection of the project this spring when the Commission expects to visit this community.

The Commission considered and ordered filed a letter from Mr. A. E. Benedette, Parkdale, Oregon, with reference to the condition of the Hood River Secondary Highway, between Dee and Parkdale, in which he complains that the highway is in very bad condition and for a short period this past winter was not usable by traffic at all.

A letter was presented from Mr. William A. Schoenfeld, Dean and Director, School of Agriculture and Agricultural Experiment Station, Oregon State College, inquiring as to the plans of the Commission for improving the roads

which lead to the state experiment stations. The Commission ordered that Dean Schoenfeld be informed that the Commission has these roads in mind and intends to consider them for improvement in the Federal Aid Secondary Highway program, when such program is arranged.

The Engineer reported on the investigations that have been made of complaints received from the Lincoln County Fish and Game Protective Association of Yachats, that a certain Mr. Govro has been and is now taking "smelt sand" from the ocean beach area in the vicinity of Yachats contrary to the order of the State Highway Commission. He said that a survey has been made at this location to determine whether or not Mr. Govro's operations are being conducted on the area controlled by the state between mean high-water line and low-water line, and that such survey reveals that all of the operations are above mean high-water line except that one spar pole has been erected in solid rock below the high-water line, which indicates that Mr. Govro is operating strictly within his rights except for this spar pole which is within the area that is under the jurisdiction of the State Highway Commission. He recommended that Mr. Govro be allowed to continue his operations provided he confines them strictly to the area above the mean high-water line, and provided, further, that he moves the spar pole to a location that is above the mean high-water line. The Commission approved the recommendation by unanimous vote and instructed the Attorney to take whatever steps are necessary to enforce this ruling and to see that the spar pole is removed at once.

He was also instructed to take similar action with respect to sand removal operations that have been reported on the ocean beach area in the vicinity of Waldport.

The Engineer requested instructions in regard to the construction of an experimental safety island on the East Portland-Oregon City Highway at Oak Avenue, between Milwaukie and Oregon City. He estimated that it would cost about \$5000 to construct such safety island, eight feet in width, and recommended the expenditure for experimental purposes. The Commission approved the project by unanimous vote.

The Commission considered the request of the Colonial Construction Company, Spokane, for an extension of time, from March 11 to July 1, 1937, within which to complete their contract, No. 1865, for the construction of an overcrossing structure over the railroad tracks of the O.W.R. & N. Company, in Pendleton. They gave the following reasons for failure to complete the project within the specified time limit: (1) delay in award of contract to them, bids having been taken on January 9, 1936, and the contract awarded on May 18, 1936, which necessitated the carrying on of construction during the winter months when very little work could be accomplished because of bad weather conditions; (2) delays encountered by reason of the failure of the railroad company to do certain work in connection with this project; (3) delays attributed to the clearing of the right of way and the removal of houses therefrom, which work, according to the contract agreement, was to be done by the state and accordingly was beyond the control of the company. The Engineer advised that the Commission took bids for this project on January 9, 1936, but the contract was

not awarded until May 18 due to delays in consummating a satisfactory agreement between the two railroad companies that were involved. He further stated that the date of completion originally specified in the contract was October 31, 1936, but this was extended to March 11, 1937, to offset the elapsed time between the opening of the bids and the awarding of the contract. However, no account was taken of the fact that the delay in the award would require the completion of the project during the winter months when concrete work could not be carried on. He gave as his thought that this feature should be given favorable consideration, and recommended that the extension requested be granted without penalty. He submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

The Engineer reported that the following contracts for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance:

Contract No. 1910, with Odom & Skeels, for the construction of a bridge over Jordan Creek on the Wilson River Highway, in Tillamook County. Completed February 28, 1937.

Contract No. 1912, with Berke Bros., Inc., for grading and construction of a trestle bridge on the Shady Point-Kelly Corner Section of the Pacific Highway, in Douglas County. Completed March 3, 1937.

The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1910, with Odom & Skeels, for the construction of a bridge over Jordan Creek on the Wilson River Highway, in Tillamook County. Completed February 28, 1937.

Contract No. 1912, with Berke Bros., Inc., for grading and construction of a trestle bridge on the Shady Point-Kelly Corner Section of the Pacific Highway, in Douglas County. Completed March 3, 1937.

THEREFORE, BE IT RESOLVED that the work covered by said State Highway Commission contracts for the construction of said state highway projects be declared completed according to the terms and provisions of the respective contracts and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Bargain and sale deed, conveying unto Mary E. Williams, a widow, 2000 sq. ft. of land situate in Lot 5, Block 55, of Case and Bayley's Second Addition to Newport, in Lincoln County.

Bargain and sale deed, conveying unto Eugene F. Coblenz 267 sq. ft. of land situate in Lot 5, Block 22, Seal Rock Beach Addition to Cannon Beach, in Section 19, T. 5 N., R. 10 W., W. M., Clatsop County.

Exchange deed, conveying unto S. W. Starmer and Clara T. Starmer, husband and wife, portions of Lots 7 and 8, Block 6, North Park Addition to Roseburg, in Douglas County.

Exchange deed, conveying unto Newport Lodge No. 89, I.O.O.F., 2000 sq. ft. of land situate in Lots 7 and 8, Block 55, of Case and Bayley's Second Addition to Newport, Lincoln County.

Agreement with the Bureau of Public Roads modifying prior agreements executed May 22, 1936, covering the improvement and maintenance of the following Oregon Forest Highway projects:

1. Agreement FHEC35-A2 covering a section 1.43 miles in length south from the end of the oiled section south of Canyon City, whereby the state agrees to perform the maintenance from March 1, 1937, to June 8, 1937, and the Bureau of Public Roads agrees to reimburse the state for such expense;

2. Agreement NR35-A3 covering a section 1.2 miles in length immediately south of Project FHEC35-A2, whereby the state agrees to maintain this section for the Bureau of Public Roads from March 1, 1937, to May 9, 1938, and the Bureau of Public Roads agrees to reimburse the state for such expense;

3. Agreement NR35-A4 covering the section 1.7 miles in length immediately south of Project NR35-A3, whereby the state agrees to maintain this section from March 1, 1937, to December 25, 1938, at the expense of the Bureau of Public Roads, and the Bureau of Public Roads agrees to reimburse the state for such expense.

Agreement with the Oregon-Washington Railway and Navigation Company relative to snow-removal operations on the upper Columbia River Highway, between Portland and Umatilla.

Agreement with Contractor Homer G. Johnson providing for the settlement of his claim for extra compensation arising out of his contract with the State Highway Commission for the surfacing of the Kamela-

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Hilgard Section of the Old Oregon Trail in Union and Umatilla Counties, being State Highway Commission Contract No. 1156.

The Commission had under consideration the setting of dates for its next two regular meetings and it was decided that such meetings should be held in Portland on Tuesday and Wednesday, April 27 and 28, and on Thursday, June 3, 1937. The Secretary was instructed to make the usual arrangements to hold these meetings in the Auditorium of the Public Service Building, if possible.

There being no further business to come before the Commission at this time, the meeting was adjourned at 6:00 o'clock p. m.

  
State Highway Engineer

  
Secretary

  
Chairman

  
Commissioner

  
Commissioner

Lakeview, Oregon, March 31, 1937.

The State Highway Commission conferred with the County Court of Lake County and members of the Lakeview Chamber of Commerce at 2:00 o'clock p. m. in the Lakeview Hotel. Present were:

Henry F. Cabell, Chairman  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
H. B. Glaisyer, Secretary

There were also present about fifteen local citizens.

The meeting was presided over by Mr. Victor W. Johnson, County Agent. He told the Commission that the people of Lake County are particularly anxious and desirous for the oiling of the Klamath Falls-Lakeview and Fremont Highways and they would also like the Commission to designate as a secondary state highway the county road which extends around the west side of Goose Lake between the California state line and a connection with the Klamath Falls-Lakeview Highway. Speaking in behalf of these projects were Mr. Carl W. Pendleton, County Clerk, and Chairman of the Highway Committee of the Chamber of Commerce; and County Judge John R. Heckman. Mr. Pendleton said that they are satisfied with the Highway Commission's program for improvements in Lake County but they would like to see these highways completed as soon as possible. Judge Heckman confined his remarks to the road on the west side of Goose Lake. He said that the County Court is satisfied with the explanation given by the Commission

in regard to this project at its meeting in Portland on March 25 but they want to take this opportunity to renew the request and to show the Commission the road, if it has time to spare on this trip.

Chairman Cabell explained the new Federal Aid Secondary Highway set-up. He predicted that, if the Government is satisfied with the set-up, it will be a continuing proposition. He also explained that the Commission does not have sufficient state money available at this time to match all of the federal funds that have been provided, so it is going to be necessary to defer a substantial part of the construction program until next year. In regard to the Federal Secondary Highway program, he said that the deferment of construction will work to an advantage because it will give the Commission an opportunity to discuss road matters with the various county courts this summer and sufficient time to complete and study the data that is now being assembled through the state-wide planning survey, which information will be of inestimable benefit in the selection of roads for the Federal Secondary Highway System. The Commission anticipates, he said, that a program for the secondary moneys will be arranged some time this fall and construction for the most part will be undertaken next year.

Mr. C. J. Gillette, President of the Chamber of Commerce, brought up the matter of snow removal. He said that during the severe snow period this past winter several of the highways in Lake County were closed to traffic, and they are wondering what plans the Commission has to prevent a recurrence of such conditions and whether the Commission intends to purchase additional equipment for use in keeping the roads open. He was informed by Chairman Cabell that, from all appearances, as the state highway system has expanded, the purchase of equipment has lagged, especially the purchase of snow-removal equipment; and, while the need for additional snow-removal equipment has not been apparent for a number of years, the Commission is convinced by its experience during the past winter that more equipment of this kind is needed and accordingly has authorized the purchase of the same. He added that the Commission has been reluctant to spend its money for such equipment, knowing that it will probably remain idle most of the time, because the Commission believes that the people of the state would object to the tying up of so much of the highway funds when they could be used to very good advantage to finance construction work.

Former County Judge Fred Reynolds urged the Commission to construct a temporary light oil treatment on the unoiled section of the Klamath Falls-Lakeview Highway to allay the dust until such time as the Commission has funds to finance a standard improvement. He was informed that the Commission is short of money but will be pleased to consider his request although the answer will depend largely upon the present condition of the light oil treatment that was applied last year to the Lakeview-Burns Highway, as an experiment. Mr. Reynolds particularly urged the oiling of the Quartz Mountain Section and the Drews Valley Section. Mr. C. J. Clause gave as his thought that the section most in need of such oil treatment is the ten-mile section just west of Beatty. Chairman Cabell reiterated the Commission's stand by stating that the Commission

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cannot make any definite commitment today but will be pleased to keep the projects in mind.

This concluded the conference.

W. W. [Signature]  
State Highway Engineer

W. W. [Signature]  
Secretary

Henry L. Cabell  
Chairman

F. L. [Signature]  
Commissioner

MAR 31 1937

PART 1  
OF  
VOLUME XXII  
MINUTES OF OREGON STATE HIGHWAY COMMISSION  
COVERING PERIOD  
FROM  
APRIL 1, 1937  
THROUGH  
JULY 8, 1937

- - - -

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
F. L. Tou Velle, Commissioner

- - - -

R. H. Baldock, State Highway Engineer  
H. B. Glaisyer, Secretary

- - - -

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT

LOCATED AT SALEM, OREGON

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7297	April 27 1937	Awards confirmed (continued) Bellevue-Pringle Corner Section, grading, paving, and construction of trestle bridge; Willamina Rock Production Project; Turkey Hill-Chenoweth Park Section, grading and paving. Pendleton. Rental of state-owned houses to employees or others. Referred to Engineer. Interim Committee. Chairman Cabell appointed to represent Commission on Committee authorized by 1937 Legislature.
7298		Oregon-Washington Highway. Sidewalk construction on River-side Bridge. Investigation ordered. North Umpqua River Bridge. Sidewalk construction requested by Roseburg Chamber of Commerce and Rod and Gun Club. S. H. Boardman authorized to attend National Recreational Congress in Atlantic City during May, 1937. Levels. Purchase of six engineering levels authorized. Drainage ditches. Use as outlet for septic tanks, etc. prohibited.
7299		The Dalles. State Police request office space in Highway Department's maintenance building. Request granted. Load limits. Nye Junction-Ukiah Section. Resolution lifting order imposed reducing load limit.
7300		Portland. Maintenance of city streets that are designated highway routes. Decision deferred until next meeting. Klamath County. Merrill-Hatfield Road. County Court requests moving of fences separating irrigation ditch and highway. Request denied. Designation of Merrill-Hatfield road as secondary highway.
7301		Blue Mountain-Tri-State Highway. Engineer authorized to attend Road Rally and Banquet honoring promoters. Upper Columbia River Highway. Letter from Roy L. Wemman, District Ranger, Mt. Hood National Forest, complimenting Department on beautification work. Canyon City. Acquisition of additional right of way through town. Investigation ordered. P.W.A. funds. Projects to be limited to maintenance buildings at Portland and Klamath Falls.
7302		Weston-Elgin Section. Grading contract to be let this fall. American Association of State Highway Officials. Engineer inquires regarding appointment as member of committee on administrative design policies. Appointment accepted. Albany-Corvallis Highway. Residents of Linn and Benton Counties request reconstruction on higher elevation. Denied. Medical Springs-Union Secondary Highway. Early completion urged by Board of Directors of School District No. 5. Lincoln County. Acquisition of old railroad grade to replace present highway between Toledo and Newport recommended by County Court. Not approved.
7303		North Bend. Chamber of Commerce urges construction of non-skid wearing surface on Sherman Avenue in city.

Page	Date	Subject
7303	April 27 1937	Ferry Service. Establishment of service across Columbia River to connect U. S. Highway No. 97 in Washington and Oregon requested by Moro Commercial Club.
		Glencullen. Community Center requests Department to change road signs from "Fairview" to "Glencullen."
		W. H. Lynch. Request for copies of perspective drawings made by F. G. Hutchinson, for submission to Washington office, granted.
7304		Mt. Hood Highway. Permanent location between Fike's Corner and Diamond Springs adopted. Resolution.
7305		Gleneden Beach. Revision of Oregon Coast Highway through District adopted. Resolution.
		Hood River County. Data for revision of Mt. Hood Highway at Fike's Corner to be furnished County Court.
		Gleneden Beach. Mrs. Florence Mimmick and Attorney for W. F. Cary, Gleneden, to be informed of decision for rerouting Oregon Coast Highway.
		Extension of time granted on following project: Edlefsen-Weygandt Company and Theodore Arenz, Rex Hill Section of West Side Pacific Highway.
7306		Contracts completed and accepted: Rex Hill Section, Theodore Arenz and Oregon Contracting Co.; West Unit, Stanfield-Pendleton Hill Section, James Crick; John Day Rock Production Project, Chas. H. Leonard.
7307		Douglas County. Acquisition of roadway across property owned by Kenneth Murphy for use in connection with Wilson Ranch-Paradise Creek Project.
		Condemnation. Resolution authorizing acquisition of quarry site on William J. Mink property for use in connection with Ontario subway section of Old Oregon Trail.
7309		T. S. Cornelius Estate, Walluski River Section; Clyde E. Leonard, Elgin Section;
7310		Sarah J. Olds, Middleton-Newberg Section; J. A. Miller, et ux, Middleton-Newberg Section; Reta Vey, East Pendleton Grade Separation Section; W. A. Stratton, Bear Creek-Talent Section; J. C. Sothman Estate, Agency Plains-Madras Section; James P. Anderson, East Unit, Jordan Creek Section; Mortgage Company for America, East Unit, Jordan Creek Sec.; Everett L. Miller, East Unit, Jordan Creek Section; S. H. Fredricks, East Unit, Jordan Creek Section.
7311		Chiloquin. Delegation protests proposed relocation of The Dalles-California Highway north of Lobert.
7312		The Dalles-California Highway. Decision regarding proposed revision north from Modoc Point deferred pending investigation of proposition suggested by Chiloquin delegation.
7313		Wolf Creek Highway. Western Timber Company settlement for right of way agreed upon.
		Champoeg Park Commission. Delegation headed by Milton Miller, requests statement regarding construction of road to park.

Page	Date	Subject
7314	April 27 1937	Lane County. County Court requests various improvements on highways in county.
		Awards, as follows, announced: Wilson Ranch-Paradise Creek Section, resurfacing, and furnish crushed gravel; Burns-Buchanan Section, roadbed topping and surfacing; Valley Falls-Ginder Butte Section, oil mat treatment; Beatty-Bly Section, furnish crushed rock in stock pile; Klamath Falls Rock Production Project; Rainrock-Greenleaf Creek Section, oil mat surface treatment; Short Sand Beach Creek Section, grading; Middleton-Votaw Section, grading and paving.
7315		Washington County. Gales Creek Road. County Court inquires regarding maintenance. State to maintain.
7316		Forest Grove. Maintenance of city streets connecting Gales Creek Road with Tualatin Valley and Nehalem Secondary Highways. Commission to maintain.
		Newport. Approach road from Oregon Coast Highway to Nye Beach requested by Chamber of Commerce. Commission approves construction of one block.
7317		Use of State's quarry at Agate Beach granted city.
7318	April 28	Bids, as follows, opened and read: Nehalem Secondary Highway oiling project; Lamb Creek-Sheep Ridge Section, grading; Linn and Yamhill County oiling project; East Unit, Jordan Creek Section, grading; East Unit, Jordan Creek Section, bridges and culverts; Willamette River Bridge Approach at Salem.
7320		Ferry service. Conference with Lacey V. Murrow, regarding establishment of service at Astoria, set for June 2, 1937.
		Albany. Public hearing in connection with rerouting of Pacific Highway through town scheduled for June 4.
		Linn County. County Court requests various improvements to Santiam Highways and Halsey-Sweet Home Secondary Highway.
		Opening of Santiam Highway Summit preferred to reconstruction of Albany-Lebanon Section.
		Halsey-Sweet Home Secondary Highway. Engineer to report on advisability of constructing connection to new county bridge.
		Harney County. County Judge asks that surplus budgetted for Burns-Buchanan Section be spent for oiling between Juntura and Harper.
7321		Oasis. Engineer to investigate possibility of construction at Gap Ranch and Brothers.
		Burns-Buchanan Section. Options approved.
		Shady Point-Kelly Corner Section. Options approved.
		John Day Highway. Fossil-Kinzua Junction Section. Settlement with Mr. Farleigh in lieu of cattle pass construction.
		Quarry site. Option from Mr. Coblentz for site near Champoeg Park. Return of option authorized.
		E. B. McNaughton grants permission for Highway Department to enter property for purpose of prospecting.

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- 7321 April 28 Otter Crest State Park. Acquisition of small area from Mr. Wilbur Badley authorized.
- 7322 Jackson County. Acquisition of 80-acre tract adjacent to Rogue River between Trail and Prospect owned by G.C. Smith. Condemnation authorized. Resolution.
- 7323 C.C.C. camps. Transfer from State Parks Department to U. S. Reclamation Service approved during winter months only.
- 7324 Clatsop County. Nehalem Secondary Highway. Offer of sale of 80-acre tract by Ed Meyer, Jewell, refused. Roadway from Wolf Creek Highway to Saddle Mountain State Park. Investigation of acquisition of private road ordered. Klamath Falls-Lakeview Highway. Options authorized for timber strips between Drews Creek and Quartz Creek.
- 7325 Azalea tract. Acquisition of tract near Brookings. Engineer authorized to negotiate for purchase.
- 7327 Log Hauling. Public Utilities Commissioner and Alvin Kurtz confer regarding prosecution of log haulers. Pending cases to be dismissed. Awards announced, as follows:  
Nehalem Highway Oiling Project;  
Lamb Creek-Sheep Ridge Section, grading;  
7328 Linn and Yamhill Counties Oiling Project;  
East Unit, Jordan Creek Section, grading;  
East Unit, Jordan Creek Section, bridges and culverts;  
West Approach to Willamette River Bridge at Salem.  
Sidewalk construction. Milwaukie Civic League asks State aid in connection with construction of sidewalk at Island Station.
- 7329 Lincoln County. Depoe Bay. Location for proposed memorial to two young men who lost their lives in attempting rescue.
- Landscaping. W.P.A. project at east end of Ross Island Bridge approved.
- W.P.A. project between Junction City and Eugene, embracing construction of artificial lakes, approved.
- 7330 Alabama Highway Commission. Letter asking Oregon Highway Commission to urge representatives in Congress to assist in securing enactment of legislation providing highway appropriations.
- Survey. Traffic Engineer requests authority to conduct survey to determine benefits of highways bypassing cities.
- Clipping Bureau. Subscription to bureau covering accident reports authorized.
- Linn County. Lamb Creek-Sheep Ridge Section of Santiam Highway. National Reemployment Service approves forty-four hours a week.
- 7331 Coast Bridge Fund. Transfer of account to time deposit account to secure interest.
- Carl Abrams, Salem, applies for permit to construct water pipe line along Pacific Highway north of Salem.
- Portland General Electric Co. Application to construct pole line on East Portland-Oregon City Highway denied.

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- 7332 April 28 Agreements, etc. signed:  
Union Oil Company, lease of site for storage of gravel;  
W. J. Walker and wife, use of gravel pit;  
Kern & Kibbe, disposition of claim for extra compensation in connection with North Salem Undercrossing;  
A. F. Coates Lumber Company, lumber hauling north of Tillamook;  
Bargain and Sale deed conveying to Board of Forestry land adjacent to Wallowa Lake Highway;
- 7333 Bargain and Sale deeds conveying property between Seventeenth and Union Avenue, Portland, in exchange for right of way for East Portland-Oregon City Highway;  
Bargain and Sale deed conveying to Southern Pacific Company land in Holgate Addition to Portland in exchange for right of way for East Portland-Oregon City Highway.
- 7334 May 16 Labor Union. Adoption of policy with respect to affiliation of Highway Department employees.  
Wages. Increase for men employed on section crews, oiling crews, et cetera, discussed. Investigation ordered.  
Talent. Widening and oiling between pavement and curbs approved through town.
- 7335 Reedsport. City Council requests oiling on "L" Street between 12th and 15th Street. Engineer's report on cost. Maintenance of connection between Umpqua Highway and Coast Highway along Winchester Street. State refuses.  
Winchester Street. Repairs authorized before being turned over to City to maintain.
- Coquille. Rerouting of truck traffic from Taylor Street to Willard Street and Hall Street requested by City Council.
- Yamhill County. South Yamhill River Bridge. Report of Highway Bridge Engineer and Southern Pacific Division Engineer regarding collapse.  
Expense incurred to be charged to J. C. Compton and surety.
- 7336 Snow Removal. Diamond Lake Road. Cooperation with U. S. Forest Service in opening road between Union Creek and junction with The Dalles-California Highway.  
Diamond Lake Road. Designation as state highway considered.
- May 17 Grants Pass. Conference with Chamber of Commerce and County Court.
- Josephine County. County Court and Grants Pass Chamber of Commerce confer with Commission in regard to various road improvements.
- 7337 Minutes approved for meetings held on Dec. 16 and 17, 1936; January 7, February 17, 18, 19 and 20, and March 10, 1937.
- Gold Beach. Widening of highway through town. Engineer's report on cost of right of way, et cetera.
- Newport. Acquisition of maintenance site. Lincoln County offers site for \$500. Decision deferred.
- 7338 Lincoln County. Siletz Secondary Highway improvements discussed. Application of County's indebtedness to road.

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7338	May 17	Lincoln County. Otter Crest. Acquisition of additional land from Wilbur Badley for widening and park purposes.
		Columbia River Highway. Acquisition of land from State Land Board between high and low water mark.
7339		Wilson River Highway. Mills Bridge-Jordan Creek Section. Temporary oil treatment approved.
		County road construction. Attorney's opinion on authority of Commission to use highway funds to match Federal Aid funds for construction on county roads.
		Clackamas County. Cooperation requested in sidewalk construction, by County, along River Road by Herman Ledding, Milwaukie.
		Forest Grove. Bypass road connecting Tualatin Valley Highway with Gales Creek Road. Engineer's report on cost.
		Maintenance headquarters. Adoption of policy in regard to purchase of headquarters for section crews.
7340		Report on proposed headquarters on Central Oregon Highway, between Bend and Burns, ordered.
		Wolf Creek Highway. Purchase of additional equipment for use in connection with W.P.A. project authorized.
		Wilson River Highway. Purchase of two Caterpillar tractors and one truck authorized in connection with W.P.A. project.
		Dump Truck Association. Objection made to Commission purchasing equipment for Wilson River and Wolf Creek W.P.A. projects.
		Telegram approved in reply to Dump Truck Association's protest.
7341		Trucks. Purchase of two additional pickup trucks authorized for use of extra sign crew.
		Collection of fines. Employment of someone to continue activities of A. W. Orton discussed.
		Curry County. Oregon Coast Highway. Disposition of house on property acquired from Charles Wilson between Rogue River Bridge and Gold Beach.
		Coos County. Charleston. Tenancy of old building disapproved. County Court to assume responsibility for accidents to tenant.
7342		Oregon Coast Highway. George Stonefield controversy in connection with building construction near Tenmile Creek.
		Right of way encroachments. Circular letter pertaining to possible building encroachments on right of way.
		Pacific Highway. Bear Creek-Talent Section. Reconstruction of short section to provide proper connection authorized.
		Septic tanks. Circular letter prohibiting property owners from using drainage ditches along highway as drains.
7343		Labor Union. Affiliation of highway department employees.
		Letter to all employees approved.
7344		Portland. Maintenance of city streets that are highway routes.
		Agreement to be altered and presented to City for approval.
7344		Log hauling. Policy adopted with respect to violators permits.
7345	May 18	Acquisition of property needed for right of way. Resolution.

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7347	May 18	Oregon Coast Highway. Short Sand Beach Creek Section. Acquisition of property between highway and beach authorized.
7348		Pacific Highway. Shedd-Halsey Section. Purchase of property needed for borrow pit from C. J. Shedd.
		Wolf Creek Highway. Western Timber Company settlement approved.
		Condemnation. Proceedings authorized for following:
		West Portland-Tualatin Section of West Portland-Hubbard Highway;
		Bear Creek-Talent Section of Pacific Highway.
7350		Ashland. Chamber of Commerce confers in regard to several road improvements.
		Elimination of turn at Plaza Corner requested.
		Landscaping project at undercrossing to be investigated.
		Green Springs Highway. Ashland Chamber of Commerce urges improvements.
7351		Birdseye Springs. Condemnation authorized to acquire land needed for roadside development.
		Jackson County. Conference with County Court and citizens of Medford.
		Union Creek-Diamond Lake Road. Snow removal asked.
		Little Butte Creek Secondary Highway improvements requested.
7352		Federal Aid Secondary Highway System. County Court questions advisability of turning over county roads.
7353		Crater Lake Highway-East Main Street intersection in Medford approved.
		Talent. Construction of wye connection to new location of Pacific Highway requested. Denied.
		Oiling of shoulders adjacent to highway.
		Award of contract approved, as follows:
		Middleton-Votaw Section, grading and paving.
		Multnomah County. Resolution designating state highways re-adopted.
7356		Resolution abandoning portion of old West Side Pacific Highway, which was formerly adopted, re-adopted.
7358		Engineering News-Record. Editorial in regard to action of City Council of Cincinnati rejecting P.W.A. funds.
		Insurance. Artisans Life Association requests permission to furnish group insurance to Highway Department employees.
		Load limit. Prairie City-Unity Junction Section. Resolution lifting load limit order.
7359		Resolution affecting several old bridges, as follows:
		North Fork John Day River Bridge;
		Walluski River Bridge;
		Nehalem River Bridge;
		Thomas Creek Bridge;
		Catching Slough Bridge;
		Little Nestucca River Bridges;
		John Day River Bridge.

Page	Date	Subject
7361	May 18 1937	Curry County. Reallocation of federal funds reserved for Port Orford Dock Road requested by County Court. Squaw Creek Road. Improvement of one-mile section approved with funds previously allocated to Port Orford Road. Malheur County. Rearrangement of secondary highways requested by County Court. Resolutions adopted effecting rearrangement of secondary highways.
7366		I.O.N. Highway. Designation as single secondary highway. Designation, as secondary highway, of road extending west from Jordan Valley to connection with new secondary highway considered. County Court to request such designation. Klamath County. Merrill-Hatfield Road. County Court requests designation as secondary state highway. Resolution adopted designating Merrill-Hatfield Secondary Highway No. 426.
7367		Klamath Falls-Weed Highway. Resolution designating as primary state highway.
7378		Rearrangement of secondary highway system. Resolutions. Snow Removal. Diamond Lake Road. U. S. Forest Service requests use of State's Snogo. Request granted. Oregon Caves. Commission asked to assist in securing improved lighting facilities. Request denied.
7379		Yamhill County. South Yamhill River Bridge. Commissioner Aldrich approves action taken previous evening. Surveys and preparation of plans authorized for Whiteson Bridge.
		Federal appropriations. American Road Builders' Association requests Commission to urge Congressmen to support Cartwright Highway Amendment to 1937 Work Relief Bill. First Aid Stations. Dr. Robert McCune, Cave Junction, objects to establishment of station at junction of Redwood and Oregon Caves Highways.
		Tillamook County. West Beaver Creek Bridge. County Court requests widening. Action deferred.
		Lacey V. Murrow. Conference scheduled for June 4.
		North Bend. Chamber of Commerce requests nonskid wearing surface on Sherman Avenue. Estimate of cost ordered.
7380		Clatsop County. Tide lands. O. W. Taylor inquires regarding Commission's interest in ownership of tide lands at Clatsop Beach.
		Roseburg. Widening of two blocks requested by Chamber of Commerce. Commission approves.
		De Lake. Commission's cooperation requested in connection with removal of old frame building adjacent to highway.
		Award of East Unit, Jordan Creek Section of I.O.N. Highway contract to Consolidated Highway Company, Inc.
		Andersen Construction Company protests award.
7381		Pacific Highway West. McMinnville Chamber of Commerce objects to unequal expenditures on Highways 99E and 99W.

Page	Date	Subject
7381	May 18 1937	Oakland. City Council requests repair work on Locust Street necessitated by heavy hauling in connection with highway construction work. One-fourth cooperation approved. Street improvements asked - cost to be paid by City. Agreements signed, as follows: John M. Gibson, et al, installation of tidebox and embankment in Lane County; Lower Valley Ditch Company, change in irrigation ditch on Rock Creek-Wallowa Section; Gilpin Construction Company and General Construction Company disposing of claims in connection with Yaquina Bay Bridge construction.
		Pacific Highway. Drain. Earl Harris Lumber Company operations on highway right of way.
7382	June 3	Bids, as follows, opened and read: Elsie-Nehalem River Section, bridge over Quartz Creek; Horse Ridge-Brothers Section, regrading, surfacing, oil treatment, asphalt prime coat; McKenzie Pass-Little Butte Section, oil mat treatment; Phoenix-Bear Creek Section, grading and paving, bridge; Miller Flat-Agency Section, grading; Short Sand Beach Creek Section, bridge over Short Sand Beach Creek; McMinnville Section, grading and paving; Sale of scrap bridge steel south of McMinnville; Sale of building in Roseburg.
		Wolf Creek and Wilson River Highways. Delegation representing Dump Truck Association confers in regard to purchase of equipment for use on W.P.A. projects.
7386		Malheur County. County Judge requests various improvements.
7387		Objection raised to request of Lane County for cancellation of indebtedness to state.
		Lane County. Extension of time for payment of county's indebtedness requested by County Court.
		Willamette Highway completion requested.
		Klamath Lake Secondary Highway. Residents of Lake-of-the-Woods and Rocky Point request additional oiling.
7388		Portland. Interstate Avenue connection with Interstate Bridge. W. H. Lynch asks that request for placing on Federal Aid System be made in writing.
		Federal Aid Secondary Highway System. W. H. Lynch asks that future requests cover a number of roads instead of a few.
		Planning Survey. Bureau of Public Roads advises that 1939 appropriation not yet made and cannot be obligated in advance.
		Wilson River Highway. Change in wording of description requested by Bureau of Public Roads.
		Route east of Glenwood uncertain. Action deferred pending completion of Cook overcrossing.
		Columbia River Highway. Delegation from Portland and Cascade Locks urges new highway between Portland and The Dalles.

Page	Date	Subject
7389	June 3	Columbia River Highway. The Dalles-Troutdale Section. Employment of special right of way buyer authorized.
7390		Hood River County. Mt. Hood Highway. Delegation requests designation as Federal Aid Highway. Request denied.
7391		Columbia River Highway route through Hood River. Construction of dips in pavement asked to curb speed through town. Mt. Hood Highway. Snow removal requested as soon as possible. Action deferred pending report on cost.
7392		Interstate Bridge Secondary Highway. Engineer's report on reconstruction and Government's offer of cooperation.
7393		Hood River Secondary Highway. Surfacing contract authorized.
7394		Corvallis. North Ninth Street widening requested. Investigation and report on cost ordered.
7395		Sherman County. Ferry service between Biggs and Maryhill, Washington, requested by County Court.
7396		Improvement of Sherman Highway intersection with Columbia River Highway. Report ordered.
		Secondary highway additions requested by County Court. Extension of Fulton Canyon Road to Wasco asked.
		Awards of following contracts announced:
		Bridge over Quartz Creek, Wolf Creek Highway;
		Horse Ridge-Brothers Section, regrading, surfacing, oiling;
		McKenzie Pass-Little Butte Section, oil mat treatment;
		Phoenix-Bear Creek Section, grading, paving, concrete bridge;
		Miller Flat-Agency Section, grading;
		Bridge over Short Sand Beach Creek, Oregon Coast Highway;
		McMinnville Section, grading and paving;
		Sale of scrap bridge steel from South Yamhill River Bridge;
		Sale of house in Roseburg.
		Award of following contracts confirmed:
		Wilson Ranch-Paradise Creek Section, resurfacing and furnish crushed gravel. Awarded to Roy L. Houck on April 27;
		East Unit, Jordan Creek Section, bridges and culverts.
		Awarded to J. F. Johnston on April 28.
		Lower Columbia River Highway. Improvement northerly from Scappoose suggested as substitution for Scappoose-Multnomah County Line project.
		Improvements to bridge approaches near Deer Island asked.
		Portland. Lombard Street Extension. County Roadmaster urges extension on south side of railroad tracks. Application of Multnomah County's credit of secondary funds suggested.
		Acquisition of right of way. County to acquire right of way - cost thereof to be paid by State.
		Surveys authorized.
		Condon. Landscape Engineer reports plans completed for landscaping project.
		Birdseye Spring. Landscaping project reported on by Landscape Engineer.
		Pacific Highway. Landscaping south of Ashland Undercrossing.

Page	Date	Subject
7396	June 3	William Hanley oasis. Possibility of financing with federal money. Engineer to report.
7397		Landscaping. Following projects authorized under W.P.A.: Maintenance of roadside planting at Barbur Boulevard; Snow fence construction at Oneonta Gorge; Roadside improvement at entrances to Gresham.
7399		Wages. Engineer's report on comparison of rates paid in Oregon, California, and Washington.
7401		Revised schedule for maintenance crews, paving plant crews, oiling crews, shop employees, et cetera.
7403		Champoeg Park. Sponsorship of W.P.A. project withdrawn.
7404		Revolving Fund. Resolution increasing amount to \$150,000.
7405		Celilo. Removal of old buildings adjacent to Columbia River highway. O. L. Babcock, Superintendent of Umatilla Indian Reservation, asks cooperation of State. Resolution.
7406		R. H. Baldock authorized to attend meeting of highway experts in Chicago on June 22, 23 and 24.
7407		S. H. Probert authorized to attend meeting of Committee on Uniform Accounting in Ames, Iowa, on June 22, 1937.
7408	June 4	Lincoln County. Olive M. Lee property adjacent to Oregon Coast Highway. Ed W. Miller presents proposition.
7409		Champoeg Park. Milton Miller asks State to sponsor additional W.P.A. work. Request denied.
		State-wide Planning Survey. Report on cost to complete.
		Advizability of advancing state money pending availability of 1939 federal money considered.
		Yaquina Bay Bridge. Engineer's report on discrepancies in cement and outstanding labor claims.
		Payment of final estimate approved with reservations.
		P.W.A. officials to be consulted before final payment made.
		Brookings. Azalea tract adjacent to Oregon Coast Highway.
		Elmer Bankus discusses terms of sale. Option extended 60 days.
		Excavation at north end of Chetco River Bridge. Elmer Bankus asks Commission to perform work.
		Pacific Telephone Company. Permission requested to erect signs along highways indicating telephone stations.
		"Alternate." Use of word in U. S. highway descriptions. Engineer to discuss matter with American Association of State Highway Officials in Chicago.
		Columbia Gorge. Agreement with O.W.R. & N. Company covering snow removal. Purchase of indemnity bond authorized.
		Federal Aid Secondary Highway System. Attorney General's opinion requested in legality of expenditure of highway funds for improvement of county roads to be on system.
		Portland. Maintenance of city streets used as highway routes.
		Further discussion with city officials.
		Clatsop County. Necanicum River Bridge. Construction of new bridge approved in next construction program.
		North Bend. Resurfacing on Sherman Avenue postponed.

Page	Date	Subject
7409	June 4 1937	Lincoln County. Siletz Secondary Highway. Improvements discussed. Conference with County Court regarding this matter and payment of County's indebtedness scheduled.
		Expenditures. Engineer's report for period 1934 to 1936, inclusive.
		Pacific Highway. Report on estimated expenditures during 1937 on Pacific Highway East and Pacific Highway West.
		Maintenance headquarters. Advisability of constructing station at Maupin. Decision deferred.
7410		Glencullen. Change in wording of highway signs from "Fairvale" to "Glencullen" favored.
		Tooth Rock Tunnel. Lighting at one-half intensity authorized.
		Signals. Installation of automatic signals authorized at several railroad grade crossings.
7411		John Day Highway. Oiling program discussed. Light oil treatment authorized for Flat Creek-Geisler Ranch Section.
		Kinzua Junction-Butte Creek Ranch Section. Oiling approved.
		John Day-Prairie City Section. Improvement authorized.
		Yamhill County. South Yamhill River Bridge at Whiteson. Engineer's report on cost to demolish and build temporary structure. Commission defers billing insurance company.
7412		Power and communication lines. Minimum clearances for wires over highway right of way.
		Load limit. Reduced load limit lifted on following bridges:
		Clackamas River Bridge on Woodburn-Mt. Hood Loop Highway;
		Cougar Creek Bridge on Alsea-Deadwood Secondary Highway.
		Survey. Authority to conduct survey to determine loss of time and extra cost to go through cities rather than around denied. Previous authorization cancelled.
		Traffic Counts. Continuation of counts at control stations authorized for balance of year.
		Location surveys. Engineer authorized to make surveys without securing approval of Commission beforehand.
7413		Claim. Overcharge for powder purchased from A. Mather, Inc., Clackamas. Company no longer selling Du Pont products.
		Oregon City. H. H. Fisher requests permission to construct log dump along Willamette River. Request denied.
7414		Log dump. Construction of roadway beneath Abernethy Creek Bridge approved to enable haulers to reach suitable log dump sites north of Oregon City.
		Trucks. Purchase of two trucks authorized for Parks Department.
		Automobiles. Purchase of two cars authorized for Parks Superintendent and Bridge Engineer.
		Albany. Editorial from Democrat-Herald approving Commission's selection of route through town.
		Multnomah County. Cascade Secondary Highway No. 160. County Court requests designation. Resolution adopted.
7415		Malheur County. County Court requests designation as secondary highway of county road extending southeasterly from Vale.
7416		Albany. Hearing regarding proposed rerouting of Pacific Highway.

Page	Date	Subject
7419	June 4 1937	West Portland-Hubbard Highway. Daughters of American Revolution suggest "George L. Curry" as name for proposed new bridge across Willamette River.
7420		Wasco County. County Court requests designation as secondary highway of county road from Tygh Valley through Wamic.
		Lincoln County. Otter Rock. Reconstruction and oiling of Devil's Punch Bowl Road authorized.
		Oregon City. Request of Chamber of Commerce to paint sign on pedestrian overcrossing denied.
		Columbia River Highway. Straightening and widening between Arlington and John Day River requested. Request denied.
		Log hauling. Permission for haulers to operate on Saturday afternoons requested by Chamber of Commerce.
		Albany. Replacement of cement post at south city limits requested by Mrs. Ward Cyrus.
7421		Bailey G. Dinkelspiel. Letter complimenting Commission on scenery and courtesies of state officials; also criticising condition of Pacific Highway in Southern Oregon.
		Portland. Foothills Boulevard arterial opposed by Neighborhood Community Club.
		Freeways. West Portland-Hubbard Highway. Attorney authorized to secure waivers from abutting property owners.
		Acquisition of real property needed for highway improvements. Resolution.
7425		Condemnation. Resolution authorizing acquisition on following highways:
		Klamath Falls-Lakeview Highway-
		L. E. Sadler, Low B. Twining, O.D. Wright and M. Wouner,
		John Bartsch, Arthur Reh, Gwendolyn S. Hook;
		Bear Creek Talent Section, Pacific Highway -
		Lena A. Phillips, Stella Link;
		Medford Section, Crater Lake Highway,-
		I. D. Phipps, Anna Ruth Pierce.
7426		East Portland-Oregon City Highway. Morrison Trucking Company claim. Settlement for \$5,300 approved.
7427		Nehalem Secondary Highway. Offer of Carl Engles to purchase hay on right of way of Davies-Banks Section accepted.
		Roseburg. Storage shed construction authorized.
		Columbia River Highway. State Land Board reservations in deed conveying land between high- and low-water mark.
		Extensions of time granted on following:
		McNutt Bros., Gales-Tunnel Section;
		Berke Bros., Wall Creek Undercrossing;
7428		Harold Blake, Overcrossing on Junction City-Eugene Section;
		Kern & Kibbe, North Salem undercrossing;
		S. S. Montague, Mills Bridge-Jordan Creek Section;
7429		Mountain States Construction Co., Bridge over Calapooya River near Albany.
		Contracts completed and accepted, as follows:
		Gales-Tunnel Section, McNutt Bros.;

Page	Date	Subject
7429	June 4 1937	Contracts completed and accepted, (cont.) North Salem Undercrossing, Kern & Kibbe; Rainbrook-Greenleaf Creek Section, R. O. Dail and Warren Bros.; Blalock-Heppner Junction Section, Smith and Company; Junction City-Siuslaw Junction and Arvard-Eugene Sections, Jacobsen-Jensen Company; Calapooya River Bridge, Mountain States Construction Co., Bridge construction on Miles Bridge Section of Medical Springs Secondary Highway, W. C. White.
7431		Agreements, at cetera, signed, as follows: U. S. Forest Service, bituminous macadam construction on Salmon River Highway; Spokane, Portland and Seattle Railroad Company, waste materials site near Rainier; Bargain and Sale Deed conveying to Peter Schlechter property in Collinge's Addition to Portland. Dates for meetings scheduled as follows: July 8, regular meeting; June 18, special meeting; June 17, conference with Lacey V. Murrow regarding ferry service at Astoria.
7432	June 17	Ferry Service. Conference with Lacey V. Murrow in regard to service at Astoria. Arrangement with City of Astoria and County agreed upon; said arrangement cancelled the following day.
7433		Astoria. Astor Street cutoff. Acquisition of right of way by City. Removal of warehouse by State. Clatsop County. Neahkahnie Mountain Road. Completion urged by County Judge Boyington.
7434		County Court offers to deed property at Seaside to State for park purposes. Investigation ordered.
	June 18	Portland. City Commissioner Ormond R. Bean confers in regard to maintenance of city streets used as highway routes. Interstate Avenue. Proposed improvement involving construction of six lanes and pedestrian safety island approved.
7435		Sandy Boulevard. Improvement at same time Portland Traction Company removes car tracks suggested. Lincoln County. Siletz Secondary Highway. Reconnaissance survey authorized. Temporary or permanent improvements discussed. County's indebtedness. Payment by deferred payments suggested.
7436		Wallowa County. Enterprise-Flora Highway. Extension to state line discussed with Regional Forester and W. H. Lynch.
7437		Finances. Engineer's report. Loan from State Treasurer approved, if necessary. Yaquina Bay Bridge. Settlement with Gilpin Construction Company and General Construction Company. Agreement approved. Vouchers. Designation of someone to sign for Commissioners discussed. No action. Acquisition of real property. Resolution.

Page	Date	Subject
7440	June 18 1937	Siletz-Newport Highway. Acquisition of right of way for new location. Settlement for removal of buildings to be deferred until buildings have been removed. Columbia River Highway. Multnomah County Line-Linnton Section. W. D. Charlton granted permission to use portion of right of way pending construction operations.
7441		Jackson County. Bear Creek-Talent Section. Deed for right of way from County to be subject to lease granted Oregon State College for orchard experimentation. Ferry Service. Clatsop County objects to use of county property in Astoria by private company. Arrangement for service across Columbia River cancelled. Surveys. Engineer authorized to make surveys without first securing approval of Commission. Approval of completed surveys required by law.
7444		Albany. Resolution adopting Eight Street route as permanent location for Pacific Highway through town. Construction of northerly end of route to be undertaken. First; construction of remaining section to be postponed. Planning Survey. \$35,000 allocation authorized for traffic survey on city streets; also \$6,500 for map work. Expenditure of approximately \$50,000 of state money authorized to carry on surveys pending availability of Federal Funds from 1939 apportionment.
7445		Lincoln County. Offer of Olive M. Lee for property adjacent to Oregon Coast Highway, for park purposes, rejected. Otter Crest Park. Survey authorized to ascertain whether or not Wilbur Badley's building is on State property. Curry County. Acquisition of park site at Brookings from Elmer Bankus. Commission disapproved. Azalea tract at Brookings. Purchase in accordance with provisions of option considered.
7446		Lincoln County. Depoe Bay. Acquisition of park area at north end of bridge. Option authorized. Depoe Bay bridge. Widening approved. Plans authorized. Lake County. Quartz Mountain Section, Klamath Falls-Lakeview Highway. Purchase of wayside timber strips discussed. Timber strips. Acquisition of strips adjacent to tourist routes preferable to areas along commercial highways. Curry County. Humberg Mountain State Park. Acquisition of area from Fred Pfisterer authorized.
7447		Clatsop County. Acquisition of Gearhart Park Company property at Gearhart. Commission does not favor purchase. Multnomah County. Request of O. W. Taylor to lease or purchase property adjacent to Upper Columbia River Highway at Eagle Creek refused. Tillamook County. Cape Lookout State Park. Acquisition of Crown Willamette Paper Company's property approved. Acquisition of 26 acres from private individuals, to fill out state park, considered.

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7447	June 18	Silver Creek Falls State Park. Installation of telephone service not approved.
7448		Yaquina Bay Bridge. Payment of final estimate to contractors. Retention of \$5,000 certified check pending approval of Government to job.
		Sherman County. Sherman and Columbia River Highway. Improvement of intersection at Dinty's Service Station requested by County Court. No action taken.
		Douglas County. Russell Hubbard, Reedsport, requests survey for road extending south from Umpqua Highway to Lakeside.
		Telephone signs. Ray Conway letter regarding maintenance of signs directing people to public telephone stations.
7449		Cascade Locks. Water Company requests payment of \$275 for alleged losses due to reconstruction of highway through Cascade Locks. Claim denied.
		Trucks. Purchase of six new trucks for bridge crews authorized.
		Oregon City. Change in grade line of city streets. Commission to assume responsibility for damages.
		North Bend. Acquisition of city-owned properties needed for proposed line change between North Bend and Marshfield.
		East Portland-Oregon City Highway. Morrison Trucking Company settlement and Fred H. Peterson settlement approved.
7450		Tillamook County. Acquisition of property between highway and Short Sand Beach. Further negotiations authorized.
		Oregon Coast Highway. Acquisition of property between highway and beach. Future negotiations to be limited to purchase of right of way only.
		Title Insurance. Attorney's report on securing insurance in connection with land purchases. Action deferred.
		Wentworth & Irwin, Inc. Bid for eight trucks and dump bodies rejected. Engineer's letter to their Attorney.
		Log hauling. Letter to all Division Engineers regarding procedure with respect to violations of weight laws.
		Jackson County. Claim of Pearl S. Koble for damages to her property in connection with Barren Creek-Wall Creek Section.
		Alsea. Damages to property in connection with Alsea-South Fork Section.
7451		Maintenance headquarters site. Investigation ordered.
		Gleneden Beach. Relocation of Oregon Coast Highway. Survey for route along beach not authorized.
		Pacific Telephone and Telegraph Company. Claim for expense incurred by reason of highway construction along Upper Columbia River, near Bonneville. Settlement approved.
7452		Lane County. County Court requests additional time to pay indebtedness for road construction.
		Lincoln County. Settlement of county's indebtedness. Attorney authorized to negotiate for early payment.
		Oregon Coast Highway. Abandonment and retention of certain sections of North Fork-Nehalem River Section. Resolution.

Page	Date	Subject
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7452	June 18	Abandonment and retention of old right of way. Resolution affecting portion of old highway on North Fork-Nehalem River Section of Oregon Coast Highway.
7455		Oregon Coast Highway. Footpath requested by City of Gearhart between Gearhart and Seaside. Request denied.
		Glencullen. Community Center requests change in highway signs from "Fairvale" to "Glencullen." Request granted.
7456		Amity-Dayton Secondary Highway. Amity Community Commercial Club expresses appreciation for improvements made.
		Jefferson County. County Judge thanks Commission for extending limits of Warm Springs Highway contract.
		Reedsport. Maintenance of street formerly used as connection between Umpqua Highway and Coast Highway.
		Klamath Falls. 40-mile speed limit on The Dalles-California Highway requested by Shasta View Grange. Engineer recommends 35-mile speed limit between city limits and Altamont Road.
		Springfield. Chamber of Commerce urges preservation of roadside timber.
		State Parks Superintendent. Report of 22nd meeting of National Recreational Congress in Atlantic City.
		Award of contract. Phoenix-Bear Creek Section of Pacific Highway. Commission awards to Jacobsen-Jensen Company.
7457		Surveys. Engineer authorized to make location surveys for improvements on following sections:
		John Day-Prairie City Section;
		Salt Creek Falls-Klamath County Line Section;
		McMinnville Section;
		North Yamhill River-St. Joe Overcrossing Section;
		Bellevue-McMinnville Section;
		St. Joe Overcrossing-Lafayette Section;
		Charleston-Cape Arago Section.
		Extensions of time, as follows, granted:
7458		J.W. and J. R. Hillstrom, McKenzie Pass-Little Butte Sec.,
		Smith & Company Castle Rock-Umatilla County Line Section;
		Schmeer, Williams & Gentemann, Condon-Fossil Section;
7459		Contracts completed and accepted:
		Klaskanine Summit-Jewell Section, Saxton & Looney & Risley;
		Oiling of River and Bachelor Flat Roads, Babler Bros.
7460		Agreements signed, as follows:
		Gilpin Construction Company and General Construction Company, payment of final estimate on Yaquina Bay Bridge;
		W. D. and Rose A. Charlton, property adjacent to Columbia River Highway, Multnomah County;
		Elmer Bankus, excavation on right of way at north end of Chetco River Bridge at Brookings;
		U. S. Department of Agriculture, Bureau of Reclamation, permit authorizing construction of timber span bridges on Jordan Valley Secondary Highway;
		Oregon Western Colonization Company, elimination of cattle pass on Crooked River Secondary Highway;

Page	Date	Subject
7460	June 18	1937 Agreements (continued): J. R. and Wilhelmine S. Post, elimination of cattle pass on Crooked River Secondary Highway; Mary E. and Albert Way, elimination of cattle pass on Crooked River Secondary Highway; City of Condon, maintenance of landscaping project in City; Bargain and Sale Deed conveying to Arthur J. Cavette property in Riverside Homestead Addition to City of Portland; Bargain and Sale Deed conveying unto Carl Edmundson property in Reservation Addition to City of Portland.
7461	July 8	Bids, as follows, opened and read: North Roseburg Section, paving; Lake County Line-Gap Ranch Section, regrading, surfacing and asphalt binder course;
7462		Union Avenue Bridge over Sullivan Gulch, remodeling; Overcrossing of S. P. tracks on West Portland-Hubbard Highway, near Cook Station; Lafayette Section, paving; South Yamhill River Section, grading, paving, bridge over South Yamhill River, subway piers under S. P. tracks;
7463		Brookings. Azalea tract. Purchase of 21.8 acres approved. The Dalles-California Highway. Juniper tracts between Bend and Redmond. Acquisition to be investigated. Silver Falls State Park. Acquisition of Fred Volz property. Condemnation authorized. Campfire Girls. Use of portion of Jessie M. Honeyman State Park denied.
7464		Crater Lake Highway. Purchase of 20-acre tract owned by W. Vaughn approved. Tillamook County. Wilson River Highway. Acquisition of timber land urged by County Court. Option authorized. County Court to obtain Weyerhaeuser Timber Company strips. National Parks Service. State sponsorship of W.P.A. project in connection with recreational features requested. Denied. Lane County. Settlement of County's debt to State. Improvement of Lane County's roads with funds paid on debt requested by County Judge.
7465		Maps. Delegation requests printing "Old Oregon Trail" on highway map and other publicity data.
7466		Harney County. Central Oregon Highway. County Judge inquires regarding future improvements. Deschutes County. Tumalo Creek road. County Court requests designation as secondary state highway. Cancellation of County's debt suggested by County Commissioner. Federal Aid Secondary Highway System. Oscar Cutler to explain setup to County Court.
7467		Pacific Highway. E. J. Rodgers requests improvements to campground necessitated by reconstruction of highway north of Roseburg. Investigation ordered.

Page	Date	Subject
7467	July 8	1937 Willamette Highway. Bureau of Public Roads engineers confer regarding savings of Forest Highway Funds. Tunnel Section. State to construct as Federal Aid Project Tunnel-Salt Creek Falls Section. Bureau to construct. Mt. Hood. U. S. Forest Service asks State to maintain road from highway to lodge. Champoeg Park. Milton A. Miller asks Commission to sponsor W.P.A. project. Request denied. Douglas County. North Umpqua Road. Delegation requests designation on Federal Aid Secondary Highway System.
7468		The Dalles-California Highway. Improvements to Algoma-Terminal City Section and Modoc Point-Lobert Section requested by delegation. Engineer's report. Klamath Falls-Lakeview Highway. Klamath County Chamber of Commerce inquires regarding plans for future improvements. Dairy. Reconstruction of highway through town asked. Project to be given preference in next state program.
7469		Awards, as follows, announced: North Roseburg Section, paving; Lake County Line-Gap Ranch Section, regrading and surfacing; Union Avenue Bridge over Sullivan Gulch, remodeling; Cook Overcrossing on West Portland-Hubbard Highway; Lafayette Section, paving; South Yamhill River Section, grading, paving, and timber bridge construction.
7470		Oregon City. Chamber of Commerce representatives request numerous improvements through and adjacent to city. Dumping of logs along waterfront. Construction of roadway under Abernethy Creek Bridge. Estimate of cost ordered.
7471		Yamhill County. Hopewell Secondary Highway. Improvements and extension to Wheatland Ferry requested by Amity Community Club. West Coast Power Company. Permission granted to cross Oregon Coast Highway near Otter Crest.
7472		Waldport Telephone Company. Permission granted to install pole line through state property at north end of Alsea Bay Bridge.
7473		Condon Landscaping Project. Commission orders Landscape Engineer to rush project. Birdseye Spring. Landscaping project to be completed as soon as possible. Mt. Hood Highway. Survey authorized for revision of line at Orient. Options ordered. Load limit. Resolution reducing maximum load on bridges on Gates-Niagara Section of North Santiam Highway.
7475		Oregon-Washington Highway. Footpath between Pendleton and Riverside Bridge and sidewalk on bridge. Engineer reports. Wallowa Lake Highway. Footpath construction between La Grande and Island City requested by Union County Pomona Grange. Engineer's report. No action taken.

Page	Date	Subject
7475	July 8 1937	Canyon City. Additional right of way through burned section not required.
		Klamath Falls. Reduced speed limit on The Dalles-California Highway requested by Shasta View Grange.
7476		Tualatin Valley Highway. Senator E. L. Ross, Aloha, requests reduction in speed limit through town of Aloha.
		P.W.A. projects. Change in regulations governing grants.
		Revision in application for funds to finance buildings at Portland and Klamath Falls.
		Brookings. Removal of projection on Coast Highway requested by Elmer Bankus. Approved.
		John Day Highway, Prairie City-Unity Section. Bureau of Public Roads complains of condition. Surfacing project authorized.
7477		Telephones. Installation of signs on highway rights of way, indicating telephone stations, approved.
		West Salem. Delegation urges Commission to purchase tract of land between highway and Willamette River for park purposes.
7478		Safeway Stores, Inc. Damage to trees and shrubbery along Pacific Highway West near junction with Capitol Hill Road.
		Oregon Coast Highway. Approach roadway from platted area near Arch Cape Tunnel requested by Dr. Charles E. Dodge of Portland. Investigation ordered.
		Consolidated Highway Company, Inc. Mr. John Logan and L. E. Latourette confer in regard to company's contracts.
7479		Strict compliance with provisions of contract demanded.
7480		Acquisition of real property. Resolution.
7483		East Portland-Oregon City Highway. Claim of Frank F. Reiner for damage to Phoenix Iron Works property denied.
7484		Pacific Highway. Talent-Bear Creek Section. Acquisition of property leased by Oregon State College for experiment station.
		Oregon Coast Highway. Siletz Bay-Newport Section. Purchase of Olive M. Lee property near Rocky Creek authorized. Condemnation ordered, if necessary.
		Portland. Acquisition of county-owned land adjacent to Barbur Boulevard. Commission will landscape if County will deed property to State.
		Discontinuance of sale, by County, to private individuals.
7485		Astoria. Rerouting of highway along Astor Street. Estimates for house moving to be obtained.
		Portland. East Lombard Street extension. Acquisition of Ponderosa Moulding Company property. Option authorized.
		Right of Way Agent to be assigned to project at once.
		Columbia River Highway. Control of area between high and low-water mark of Columbia River. Legal steps authorized.
7486		Medford. Improvement of intersection of Crater Lake Highway with Main Street. Condemnation authorized.
		Fishing rights. Residents of Corbett and vicinity request Commission's recognition of fishing privileges granted in agreement with Bridal Veil Timber Company.

Page	Date	Subject
7486	July 8 1937	Columbia River Highway. Bridal Veil Timber Company questions State's control of area between high and low-water mark.
		Attorney authorized to enjoin company from occupying land.
		Corbett Estate. Maintenance of boat landing in front of property. Investigation of locations authorized.
		Crossroads in vicinity of Corbett. Report ordered.
7487		Western Association of State Highway Officials. Chairman Cabell, Highway Engineer and Bridge Engineer authorized to attend annual meeting in Denver.
		Montana Bituminous Conference. Maintenance Engineer and Construction Engineer authorized to attend.
		National Safety Council. Traffic Engineer John Beakey authorized to attend annual meeting in Kansas City, Mo.
		Roseburg. George Lammers' request to move building on Pacific Highway (old route) for about 1,000 feet denied.
		Testing Laboratory. Purchase of ammonia machine authorized.
		Maintenance material. Purchase of 2,600 cu. yds. of rock from Island City Concrete Pipe Company authorized.
		Pistol River Maintenance Headquarters. Construction of two houses for section foreman and helper authorized.
		La Grande. Addition to Division Office for use of State Police approved.
7488		Office building. Erection of highway building to be deferred.
		Letter to Robert W. Sawyer outlining situation.
		Bradley Park. Complaint of unsanitary conditions.
7489		Malheur County. Hooker Creek-Jordan Valley Road. Resolution designating as secondary highway.
		Coos County. Repair of county road from Marshfield to Inglewood District requested by County Judge. Approved. County to pay cost of work.
7490		B. L. Bradley, Salem, requests permission to operate portable telescope on beach. Action deferred.
		Reedsport. City requests Highway Department to survey and designate location for curb lines along highway.
		Rainier. Oiling of strips between highway pavement and curb requested by City. Commission approves.
		North Lincoln Lions Club, Oceanlake, suggests action to prevent destruction of scenery along highways
		John Day Lions Club. Letter of appreciation for highway improvements in the vicinity of John Day.
		Permit. Application of Ed Schaefer, Eugene, to transport auxiliary schooner from Eugene to Florence. Granted.
		Arch Cape Tunnel. Investigation to determine method of constructing southerly end. Chairman Cabell to make decision.
		Surveys. Engineer authorized to make following surveys:
		Harrison Street-No. City Limits (Corvallis);
		John Day-Prairie City Section;
		Dad's Creek Bridge (John Day Highway);
		Siskiyou-State Line Section;
7491		Lincoln County Line-Florence Section;

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1937	
7491	July 8	<p>Surveys (continued):</p> <p>Glenada-Douglas County Line Section;</p> <p>Glenada-Lane County Line Section;</p> <p>Tractive Resistance, state-wide;</p> <p>Saddle Mountain Park Road;</p> <p>Siletz-Toledo Section.</p>
7492		<p>Extensions of time granted on following:</p> <p>Arthur A. Hardesty, Elgin Rock Creek Section;</p> <p>Parker-Schram Company, Southern Pacific Undercrossing at Oregon City.</p>
7493		<p>Contracts accepted, as follows:</p> <p>Elgin-Rock Creek Section, Arthur A. Hardesty;</p> <p>Quartz Creek Section, Fred H. Slate;</p> <p>Empire-Marshfield Section, Babler Bros.;</p> <p>North Roseburg Section, Andersen Construction Co.;</p> <p>Deer Creek Bridge and retaining wall, Mountain States Construction Co.</p> <p>Date for next meeting scheduled for August 12; special meeting called for July 29, 1937.</p>
7494		<p>Agreements, et cetera, signed as follows:</p> <p>Morrison Trucking Company, Inc., disposition of damage claim in connection with East Portland-Oregon City Highway construction;</p> <p>K. N. Lucas, et ux, lease extension on property in Lane Co.;</p> <p>Arnold Irrigation District, furnishing of water in connection with Horse Ridge-Brothers Section;</p> <p>O.W.R. &amp; N. Company deed conveying property in Riverside Addition to City of La Grande;</p> <p>Deed to City of Pendleton conveying property in Umatilla County;</p> <p>Deed to Farmers Cooperative of Yamhill County conveying land in the Malone D. L. C. No. 49 in Yamhill County.</p>

La Grande, Oregon, April 1, 1937

The State Highway Commission conferred with a number of delegations from Union and Wallowa Counties at 8:30 o'clock p. m. in the dining room of the Sacajawea Hotel, all members being present and participating. Also present were the State Highway Engineer and the Secretary. Mr. Charles H. Reynolds, President of the Oregon Trail Association, presided and introduced the various delegations.

A delegation from Wallowa County consisting of County Judge Ben Waethers; County Commissioners Harry O. Harmon and Floyd W. Hammack; Messrs. Hobert, Reed, Wheeler and Mr. and Mrs. Crum all of Elgin; and Mr. Charles Bingaman, owner of the Wallowa Lake Lodge, was present and urged the Commission to designate and improve as a secondary state highway the county road which extends from the town of Joseph to the head of Wallowa Lake, a distance of about six miles. They were informed that the Commission has already designated this road as a secondary state highway but does not have the funds at present to improve the road to proper standards; in fact, available state funds are insufficient to match this year's appropriation of federal funds so, if state money were used to improve this section, it would simply mean that the state would lose a like amount of federal aid money.

The Engineer suggested that it might be possible to find enough state money to pay for a light oil treatment on this road this year as a temporary expedient to allay the dust nuisance until funds are available to finance a permanent improvement; or to finance the preparation of oil rock for a standard oiling job next year.

County Engineer Glen Jacob who was present, suggested that the county might cooperate by widening the present road at certain hazardous points and by shaping up the present surface to eliminate rough spots and improve riding qualities which, together with the light oil treatment, would provide a satisfactory road until the Commission could finance a standard oil surface. He said that the county has a bulldozer which could be used for such purpose.

The State Highway Engineer recommended the adoption of Mr. Jacob's suggestion. It was his thought that, if the light oil treatment holds up during the winter season, the cost to construct the standard oil surfacing next season will be reduced proportionately.

County Judge Waethers remarked that the suggestion would be satisfactory from the standpoint of the county court.

The Commission thereupon by unanimous vote adopted the Engineer's recommendation and authorized him to proceed on that basis.

Mr. Hobert asked the Commission to complete the three-mile section of the Weston-Elgin Secondary Highway westerly from Elgin to a connection with the section that is now under construction by the Bureau of Public Roads. He said that the Bureau of Public Roads will complete its work this year and, in his estimation, the state should make arrangements to complete its portion

simultaneously with the other, so as to provide a standard road improvement at the earliest possible time. He said that they would be satisfied with grading alone this year if the Commission can not finance both grading and surfacing.

Chairman Cabell advised that the Commission has applied for P.W.A. funds with which to finance this improvement and that the application has been approved by the local P.W.A. officials but is being held up by the authorities in Washington, D. C.; and, while the Commission has no knowledge that the project will be approved, it, likewise, has no knowledge that it will not be approved. He further stated that, in the event the project is not approved for P.W.A. funds then the Commission will consider financing it and some of the other projects that are in the same category on another basis although a definite commitment of funds to any of them has not been made and will not be made until later when it is known whether or not the P.W.A. funds are to be had.

The Engineer advised that it will cost about \$60,000 to grade, surface and oil this section and that the estimate for the grading work alone is about \$45,000. He gave as his thought that it would be advisable to wait anyway until Congress adjourns to see whether or not an additional appropriation of P.W.A. funds is authorized. He said that Congress, no doubt, will adjourn in July which would still give plenty of time to grade and surface this section this season if the Commission approves the project for construction with state funds.

Chairman Cabell advised that the Commission will not forget this project and will try to work out something in any event.

Commissioner Aldrich gave as his thought that this is a logical job even if the P.W.A. money does not materialize.

A delegation from Pondosa consisting of Messrs. Collins, Hess, Collins, and McDonald asked the Commission to improve the Medical Springs-Union Secondary Highway. They said that this is an important road and that fifteen miles of it has never been surfaced; also, that it affords an alternate route for Old Oregon Trail traffic between the towns of Union and Baker and should receive the Commission's attention.

Chairman Cabell advised that the Commission is short of money and, unless the Commission secures additional funds from some source or can include this project in the construction program for Federal Aid Secondary Highways, there is not much chance of securing the improvements at an early date. He further advised that the Commission proposes to confer with the several county courts this summer in regard to the selection of roads to be included in the Federal Aid Secondary Highway System, and, while the Commission is not in position to make any commitment of funds to the Medical Springs-Union road, such road will be given due consideration in the discussion.

A delegation from the town of Cove consisting of Messrs. Bob Frink and Merrill Connley was present and asked for the oiling of the remaining section of the Island City-Cove Secondary Highway, a distance of about seven miles. They said that they would be satisfied with an improvement similar to that which was given the balance of the road last year.

Chairman Cabell advised that this project, in the opinion of the Commission, is a good one and should be completed; however, the Commission does not have the money to spare to finance the entire project this year although the plans are to construct about three miles. It is simply out of the question, he added, to do the entire project now.

The Engineer explained the status of the Highway Commission's funds and pointed out that under the present setup there will be insufficient state money to match available federal funds this year so it is simply a case of conserving the state money in order to secure the advantages of as much of the federal funds as is possible. The Commission agreed to bear this project in mind for future consideration.

Mr. Reynolds advised that Union County is very much interested in all of the projects that have been mentioned at this conference and in addition is extremely interested in the extension and improvement of the Hilgard-Starkey Secondary Highway. He called upon Mr. L. K. Kinzel, representative of the Mt. Emily Lumber Company, to present arguments in behalf of this road. Mr. Kinzel said that this secondary highway not only needs to be extended but the present road needs improvement badly, particularly widening and straightening at a number of bad turns. He urged the Commission to work in harmony with the Forest Service in securing a serviceable road through the forest area to a connection with the Pendleton-John Day Highway near Ukiah and gave as his thought that it would not be a difficult matter to get the forest service to construct its portion of the road up to the eastern boundary of the national forest.

Chairman Cabell gave as his thought that the sensible and first thing to do is to get the Forest Service people to build as much as they can; then, he added, the Commission can consider extending the secondary highway to the forest boundary.

Mr. Kinzel repeated his request for improvements to the present road. He asked for an expenditure of \$20,000 this year for minor betterments similar to those undertaken by the Commission a couple of years ago. He said that the road is breaking through in numerous places and is really dangerous to travel. He was informed that the Commission has only a limited amount of funds available for minor betterment work and it is doubtful if any of this could be spared for the improvement of this road.

Mr. Reynolds inquired regarding the proposed Federal Aid Secondary Highway System. This was explained to him in detail by Chairman Cabell who advised that the Engineer has been authorized by the Commission to present to the Government for approval a 25 per cent program including only those projects that the Commission is reasonably sure will be approved. The Commission wants to be assured, he added, that it makes no mistakes in selecting the roads for this system, hence is making a very careful study of the situation and is deferring the selection of the roads until next fall following the conferences with the county courts and a study of the factual data assembled under the state-wide planning survey which will be completed by that time. The bulk of the construction of the roads on this system, he added, will be undertaken next

year and the possibilities are that only a small amount of the work will be placed under construction this year.

County Judge Couch stated that the Union County Court is in hearty accord with the projects presented by delegations here today. He inquired as to the policy of the Commission relative to placing additional roads on the state secondary highway system. Chairman Cabell advised that the Commission can not take on any more state secondary roads now without jeopardizing the federal aid secondary highway setup.

A farmer residing along the unoled portion of the Island City-Cove Secondary Highway suggested that the Commission should acquire the right of way that is needed in connection with the improvement of this section regardless of whether or not construction is undertaken immediately so that the farmers can set back their fences to the permanent location and otherwise improve their properties as they may desire. Chairman Cabell explained that the Commission can not spend much money for right of way until it is actually needed for construction because it would tie up too much money in real property which should be spent for construction purposes.

In the discussion that followed the Commission voted unanimously to authorize the purchase of right of way along the section which it is proposed to construct this year, and the taking of options for the balance without any definite commitment with respect to construction.

A member of the delegation asked the Commission for improvements on the road extending from Summerville via Sanderson Springs to a connection with the Tollgate road. The Commission agreed to inspect this road some time this summer when it is in that vicinity.

The meeting was adjourned at 10:30 o'clock p. m.

[Signature]  
State Highway Engineer

[Signature]  
Secretary

[Signature]  
Chairman

[Signature]  
Commissioner

[Signature]  
Commissioner

Enroute LaGrande to Pendleton. April 2, 1937

The State Highway Commission disposed of the following routine matters enroute from LaGrande to Pendleton, all Commissioners being present and participating. Also present were the State Highway Engineer and the Secretary.

The Commission authorized the oiling of the strips between the pavement and the street curb lines along the Old Oregon Trail for a distance of three blocks in the town of Stanfield.

The matter of changing the route of the Vale-West Secondary Highway No. 451 in Malheur County, as proposed by County Judge Graham, had the attention of the Commission. The Commission deferred action on this matter pending discussion of the same with the county court. The Secretary was instructed to invite the county court to be present at the next regular meeting of the Commission in Portland.

A letter was presented from County Judge J. H. Allen, Grant County, stating that the county court is agreeable to the cancellation of any promises that may have been made by the Commission to former County Judge P. A. Hetrum when the Little Beech Creek-Mt. Vernon Secondary Highway was taken over by the State for maintenance as a primary state highway detour, that the Commission would spend \$1000 for certain other improvements on the Little Beech Creek Road; also in which the Commission is requested to improve the road which extends from the Pendleton-John Day Highway to the town of Ritter, a distance of some seven miles. The Engineer advised that the Ritter road is a county road under the jurisdiction of the county court, hence the Commission is without authority to expend state funds to improve it. He suggested that this road be included in the discussion with the Grant County Court relative to the selection of roads to be included in the Federal Aid Secondary Highway System. The Commission approved the suggestion.

The Commission considered a letter, dated March 22, 1937, from W. H. Lynch, District Engineer, Bureau of Public Roads, in regard to the surfacing of the Fremont Highway, Oregon Forest Highway Project No. 29-A1,B1, during the fall months in order to avoid the cost of watering which would have to be done if the work is performed earlier in the year. The Commission approved the performance of this work during the late fall which would create a saving in funds amounting to approximately \$15,000. The Engineer was instructed to convey this information to the County Court of Lake County and to explain to the court the need for the postponement of the project.

The Commission considered and ordered filed a letter from the Baker County Chamber of Commerce requesting improvements to the following Baker County Highways: Baker-Medical Springs, Baker-Halfway, Baker-Sumpter, and Haines-Muddy Creek, this matter having been discussed with the county court informally in the Baker Hotel on the previous day enroute from Ontario to LaGrande.

A letter was presented from Mrs. Charles Anderson, Baker, urging the construction of a new highway along the Burnt River between Durkee and Bridgeport, connecting the Old Oregon Trail and the Baker-Unity Highway. The Engineer advised that in his estimation it would be absurd to construct this road at the present time because it would serve only a few people and the expense thereof is unjustified. Furthermore, in his opinion, it is the obligation of the county court to provide road facilities for the people of this district. The Commission concurred in the viewpoint of the Engineer and instructed the Secretary to so inform Mrs. Anderson.

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The Commission reconsidered the matter of assuming a portion of the cost of administering the State Property Control Department which by action of the 1937 Legislature has been placed under the jurisdiction of the State Board of Control. The Engineer cited that the Highway Commission is now paying a portion of the salary of men employed in the Secretary of State's office, State Treasurer's office, and in the office of the Board of Control; but the State Purchasing Agent now wants the State Highway Commission to assume the payment of the salaries of three additional men in the office of the Board of Control who are administering the property control functions. He pointed out that the Commission's attorney has stated that in his opinion the State Highway Commission can not legally expend state highway funds for such purpose unless these employees are under the direct control of the State Highway Department. He advised, however, that it might be possible to overcome this barrier, if it is the desire of the Commission to assume this obligation, by providing space in the highway offices for the Property Control Department employees, in which event it would probably be satisfactory and legal to declare them on the Highway Department's payroll; or, it might be satisfactory to leave them in the Board of Control offices but to require them to render their reports to the State Highway Department rather than to the Board of Control. He estimated that it would cost the State Highway Department, under either alternate, about \$4,500 per year. He suggested that it would be advisable to talk the matter over with the Board of Control and ask the Board to include in its next budget an amount to cover such expense, the State Highway Department in the meantime to pay such costs. Chairman Cabell said that he could not quite agree with the Engineer and in his estimation the State Highway Commission should assume at least a portion of the expense if it is responsible for the charge. Governor Charles H. Martin was present and suggested that the matter should be discussed with the Executive Secretary, Mr. Wallace S. Wharton, relative to the budget. After discussion the Commission by unanimous vote approved Governor Martin's suggestion and so ordered.

The Engineer requested authority to purchase three new automobiles of the Buick type for use by Construction Engineer H. G. Smith, Maintenance Engineer J. N. Bishop and Assistant State Highway Engineer C. B. McCullough. He explained that Mr. McCullough has no car assigned to him at the present time and is badly in need of one in order to perform his duties properly; also that the Buick car now assigned to Mr. Smith has been driven approximately 80,000 miles and that the Buick car assigned to Mr. Bishop has been driven 97,000, both having been purchased in 1933 and are in need of replacement. He recommended the purchase of three new cars of the same type and the trade-in, as part purchase price, of the cars now being used by Mr. Smith and Mr. Bishop. He estimated the total cash outlay to be approximately \$3,000. The Commission approved the recommendation by unanimous vote subject to further approval by the State Board of Control.

The Engineer also requested authority to purchase one truck-type power shovel for use in maintenance work and the trade-in, as part purchase price on the same, of one of the highway department's old Insley shovels which is badly worn and is beyond the stage of economical repair and operation. He estimated the net cost of the shovels to the state, including the trade-in, to be \$8,500. The Commission approved the request by unanimous vote.

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The Engineer reported that the condition of the McKenzie Highway between Springfield and Belknap Springs in Lane County and the Willamette Highway between Goshen and Oakridge in Lane County and the Fremont Highway between Paisley and the California State Line in Lake County has improved to such an extent that it is no longer necessary to maintain the reduced load limits which have been in effect on these sections for the past several weeks. He recommended the lifting of such reduced load limits. The Commission approved the Engineer's recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the tenth day of March, 1937, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highways:

MCKENZIE HIGHWAY from Springfield to Belknap Springs Road in Lane County;

WILLAMETTE HIGHWAY from its junction with the Pacific Highway at Goshen to the Middle Fork Willamette River Bridge three miles west of Oakridge in Lane County;

FREMONT HIGHWAY from Paisley to the California State Line in Lake County;

and

WHEREAS, subsequent to the passage of said resolution conditions have changed so that it is now no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limits set out in said resolution on the said state highways;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

MCKENZIE HIGHWAY from Springfield to Belknap Springs Road in Lane County;

WILLAMETTE HIGHWAY from its junction with the Pacific Highway at Goshen to the Middle Fork Willamette River Bridge three miles west of Oakridge in Lane County;

FREMONT HIGHWAY from Paisley to the California State Line in Lake County;

be and the same hereby is rescinded and cancelled as of this date, and the maximum load limit permissible on the said sections of the said highways hereafter shall be the maximum load limit provided by law; and it is further ordered that a certified copy of this resolution be furnished to the county clerk of each county in which

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said highways are located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Engineer brought up for discussion the matter of permitting a Mr. Fred Phillips to conduct certain irrigation ditch construction work along the right of way of the Baker-Homestead Highway on the Lower Powder River Valley in Baker County which work will involve the casting of excavated ditch material on the highway, to be picked up later with a power shovel. He said that there is an existing ditch which has been in use for some 40 years but it is the contention of the owners of the ditch that the highway encroached upon the ditch right of way unnecessarily when the highway was constructed in 1925; also that the owners advise that the ditch has never been of adequate size and they propose now to widen it from five to eight feet and have requested permission to place the excavated material on the highway right of way for a distance of about 300 feet where the ditch is very close to the highway so as to facilitate their operations, and they agreed to remove this material later with a power shovel. He inquired whether or not he should permit the ditch owners to operate on the highway as they desire and suggested, if the Commission approved the same, that the irrigation district be required to furnish public liability and property damage insurance in ample amounts to protect the Commission in the event accidents occur resulting in injury to persons and/or damage to property; and that they also be required to furnish a surety bond in a sufficient amount to insure repairs to the highway, in the event that damage is done, and the cleaning up of the premises. After discussion the Commission approved the granting of the permit to the irrigation district subject to the condition that the district will furnish the Commission with public liability insurance in the amount of \$50,000/\$100,000 and property damage insurance in the amount of \$10,000 for protection in the event of injury to persons and/or damage to property that may result from its operations; and to furnish also a surety bond in the amount of \$1000 to guarantee repairs to the highway and general cleaning up of the premises when the work is completed.

Upon arrival in Pendleton the Commission conferred with members of the Pendleton Chamber of Commerce in the Chamber of Commerce rooms, there being 18 local citizens present including Mr. Roy Raley, Attorney; Buck Lieuallen, Mayor; Roy Ritner and Senator Rex Ellis. Mayor Lieuallen and Mr. Raley thanked the Commission in behalf of the City Council and the Chamber of Commerce for highway improvements that the Commission has accomplished in the vicinity of Pendleton. Mr. Ritner extended an invitation to the Commission and its staff to attend the Pendleton Roundup on September 16, 17, and 18, 1937, as guests of the Roundup Association. Senator Ellis brought up the matter of the improvements to the Sunnyside-Umapine Secondary State Highway and the Hermiston Secondary Highway. He said that these roads, especially the Umapine road, are badly in need of repairs and asked the Commission to make necessary improvements.

Commissioner Aldrich advised that the Commission has it in mind to construct a standard improvement on the Umapine road as a P.W.A. project

provided Federal Government approval can be secured, in fact the Commission has already filed its application with the P.W.A. authorities for funds with which to finance the work but it seems that final approval is being held up in Washington, D. C., for the time being, awaiting administrative action. In regard to the Hermiston road, he said that the Commission is considering improvements to this road as a Federal Aid Secondary Highway but no definite statement can be made in regard to it at the present time and can not be made until this fall because the Commission does not yet know which roads are to be included in this system. The Commission expects to confer with the county courts of the several counties this summer, he added, in regard thereto and also wants to have the benefit of the factual data which is being gathered through the means of the state-wide planning survey that is now under way which information will not be available until later in the year.

Chairman Cabell explained the details of the Commission's P.W.A. program and of the Federal Aid Secondary Highway System.

After further discussion the Commission instructed the Engineer to investigate the complaints of Senator Ellis in regard to the Umapine road.

The Commission was requested by representatives of the Pilot Rock Chamber of Commerce to remove the reduced load limit now in effect on the Pilot Rock-Ukiah Section of the Pendleton-John Day Highway for the benefit of log haulers in this vicinity. The Engineer advised that this section was posted for reduced load limit only after very careful investigations were made in regard to the condition of the road's surface, which investigation revealed that the traffic was damaging the road following the thawing-out of the same after the winter freeze. Further that this section and others where similar conditions obtain are being very carefully watched so that the reduced load limit can be lifted at the earliest possible time. He said that it would be disastrous to the road to lift the reduced load limit before conditions are right.

Governor Martin then brought a message to the assemblage which heartily applauded his statements following which, there being no further business to be disposed of, Chairman Cabell declared the meeting adjourned at 12:00 o'clock noon.

*Proctor*  
State Highway Engineer

*W. H. Blair*  
Secretary

*Henry F. Cabell*  
Chairman

*E. H. Aldrich*  
Commissioner

*F. L. Soule*  
Commissioner

Portland, Oregon, April 12, 1937

The State Highway Commission met in special session at 9:30 o'clock a. m. in room 204, Benson Hotel. Present were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
R. H. Baldock, State Highway Engineer  
J. M. Devers, Attorney  
H. B. Glaisyer, Secretary

State Highway Commissioner F. L. Tou Velle was unable to attend this meeting. Also present was Lacey V. Murrow, Director of Highways of the State of Washington.

The Commission discussed the matter of establishing free ferry service across the mouth of the Columbia River between Astoria, Oregon, and Megler, Washington. Present and entering into the discussion were a number of interested citizens from the States of Oregon and Washington including the following: Merle R. Chessman and W. H. Nelson, representing the Astoria Chamber of Commerce; James O. Convill, City Manager of Astoria; F. S. Elfving, President of the Astoria North Beach Ferry Company, Astoria; Mr. Brix, owner of the Columbia River Ferry at Knappa, Oregon; Wesley Vandercook, Longview, Washington, who said that he represented Cowlitz County, Washington, and the Chambers of Commerce of the towns of Longview and Kelso; Senator T. C. Bloomer, proprietor of the hotel in Raymond, Washington; S. M. Morris, Longview; Representative Walter Norblad, Jr., Astoria; Representative J. H. Petit of the State of Washington; E. B. Linsley, Aberdeen, Washington, representing the Washington Coast and Olympic Highways Association; and Mr. Schmidt, Port Angeles, Washington.

Chairman Cabell opened the meeting and explained its purpose. He said that he was glad to see so many people present representing both sides of this question and then extended an invitation to all to express themselves with reference thereto.

Mr. Chessman stated that he and his associates were present simply to listen to the discussions of the subject and not to enter into it unless those who are opposed to the establishment of free ferry service express their ideas.

The State Highway Engineer then read aloud certain excerpts from the report dated April 6, 1937, signed by W. W. Stiffler, Assistant Maintenance Engineer, regarding the present ferry service, its operation, gross income, and operating expense, wherein it was revealed that the net profit to the company in 1936 amounted to \$30,587 and a 25 per cent dividend to the owners was declared, and that the present value of equipment and landings is estimated at \$110,000. He also quoted figures from the report to show the estimated cost to maintain hourly ferry service 16 hours daily for eight months supplemented with 45 minute service eight hours daily for four months. There followed a general discussion of the matter.

Mr. Brix said that he is opposed to the establishment of free ferry service at Astoria because it would ruin his ferry business at Knappa. He explained that his business depends largely upon the use of his ferry by people residing in the State of Washington who work in the mills in Astoria and who patronize his ferry daily in going to and from work. He said that there are about 35 men who would be affected and he could not afford to lose this business. In reply to an inquiry he advised that his ferry now operates on a schedule of four trips daily.

Mr. Vandercook also opposed free ferry service at Astoria. He gave as his thought that it would be much better to make the Rainier-Longview bridge across the Columbia River toll free. He said that he is not antagonistic to the Astoria free ferry proposition but his district wants an equal opportunity for tourist traffic, trade expansion, and advancement in other respects such as other points enjoy. The people of Longview and Cowlitz County, he added, are in favor of free ferry service at Astoria only when the toll for the use of the Longview bridge is eliminated.

The State Highway Engineer advised that the States of Washington and Oregon are authorized by law to establish free service at Astoria but they are not authorized to purchase the Longview bridge so the elimination of toll from this bridge is a matter for the bridge owners to decide.

Senator Bloomer made a strong plea for free ferry service at Astoria. He gave as his thought that the people of Longview are not particularly opposed to such free ferry service but their main desire is to dispose of their bridge which, he has been informed, was constructed as a private venture and is not a paying proposition. He also stated that Mr. Elfving, the owner of the Astoria ferry, at one time expressed himself as being in favor of a free ferry at this point. He added that he owns a hotel business in Raymond, Washington, and about half of his business was lost when the State of Washington constructed the highway down the coast but he offered no objections and took his loss willingly.

Mr. Chessman remarked for the record that, when the proposition of constructing a bridge across the Columbia River at Astoria was under discussion, the people of Longview expressed themselves locally as being in favor of such bridge; but, when the project was discussed with the P.W.A. authorities in Washington, D. C., with the idea of securing P.W.A. funds to assist in financing the structure, the people of Longview took a reverse stand. The application for P.W.A. funds, he added, was later turned down by the government officials.

Mr. Morris stated that the people of Longview are not opposed to a free ferry at Astoria; on the other hand, they feel that it would be a good thing to have such free ferry but, in fairness to the people who have to pay taxes to maintain it, arrangements should also be made to eliminate the tolls from the Longview bridge.

Mr. Elfving offered objections to the establishment of free ferry service across the mouth of the Columbia River. In reply to an inquiry he

stated that about 75 per cent of the traffic that uses the present ferry during the months of June, July and August is tourist traffic and that during the remainder of the year about 95 per cent of the traffic is local and commercial. He also stated that, during the summer months, traffic from the states of Oregon and Washington is about equally divided.

Mr. Norblad stated that he was one of the coauthors of the bill which was adopted by the Oregon Legislature authorizing the State Highway Commission to enter into an agreement with the State of Washington to establish free ferry service at Astoria. He said that it was not intended that the bill should cover such services at any other point and was specifically for the Astoria free ferry alone. The Longview bridge, he said, was not discussed when the bill was being considered although he was approached by certain people to use his influence in obtaining a law making it possible for the states to acquire this bridge. He pointed out that the Oregon Free Ferry Act is not mandatory but is simply an enabling act to give the State Highway Commission authority to act in conjunction with the authorities of the State of Washington to maintain free ferry service at Astoria when that State has enacted a similar law.

Mr. Murrow at this juncture suggested that the solution of the problem might be to establish free ferry service for a limited period each year during the tourist season.

Mr. Elfving replied that the ferry can not be operated successfully or with profit without the business received during the tourist season. He opposed such solution.

Senator Bloomer gave as his thought that the service should be rendered free of cost the year around. He explained that there are numerous toll ferries in operation in the State of Washington and if he had his way about it they would all be operated free of toll. The Enabling Act, he added, was approved by the Washington Legislature to cover the Astoria ferry alone because it was understood that Oregon would pay one-half the cost of the operation of the same.

Mr. Petit declared that the people of the State of Washington are not opposed to the maintenance of a free ferry at Astoria and the opposition that developed in the Washington Senate to the bill that provided for the establishment of such free ferry service was not directed against that particular feature but rather against any increase in the gasoline tax which was included in the same bill. He also said that very little opposition developed in the House of Representatives to the establishment of free ferry service at Astoria. He gave as his thought that it is not fair for small groups of people to stand in the way of progress of the time; also, in his estimation, it is neither right nor proper to require tourists to pay a ferry charge to enter the State of Washington from Oregon particularly in view of the fact that the State of Washington has authorized an expenditure of \$250,000 this year for attracting tourists to that state. He also mentioned the manner of operating the ferries and gave as his understanding that the project would be advertised for competitive bids and that a contract would be awarded to the company or individual submitting the low bid therefor.

Mr. Linsley stated that he represents the Washington Coast and Olympic Highways Association which sponsored the bill in the Washington Legislature authorizing the State of Washington to enter into an agreement with the State of Oregon to furnish free ferry service at Astoria. He said that this Association is primarily interested in the things that are beneficial to the entire State of Washington and that they naturally are in favor of the establishment of free ferry service across the mouth of the Columbia throughout the entire year; however, they have great faith in Mr. Murrow, the Director of Highways of the State of Washington, and are willing to leave the matter up to him to solve as he thinks best.

Mr. Schmidt said that the people of Port Angeles, Washington, are interested in the free ferry proposition from the tourist standpoint and they are very much in favor of such free service for tourists.

Senator Bloomer pointed out that for many years the north beach district in Washington, across the river from Astoria, was considered as Portland's beach and as such was a mecca for Portland people who desired to go to the seashore, but this patronage was lost when the beaches south of Astoria were developed, due largely to the high tolls that the people had to pay for ferry service across the mouth of the Columbia River. This concluded the conference.

Discussion of the matter was resumed by the Commission and Mr. Murrow later at which time Mr. Murrow asserted his desire to discuss the matter further with his cohorts in Olympia before giving the Commission a definite decision. It was agreed that, when the discussion is resumed, the Commission would meet with Mr. Murrow in Olympia rather than in Portland.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful consideration the Commission approved the Engineer's request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are approved and accepted and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Rainrock-Blachly, Siuslaw Highway</u>				
4484-Hutchins, Nellie	S/P	0.44	\$100 per a. plus \$20.00	Parker
<u>Drain-Elkton, Umpqua Highway</u>				
4529-Rydell, Chester	S/P	1.00	\$25 per a. (lump) \$38.50	Parker
<u>Mussel Creek, Oregon Coast Highway</u>				
4351-Sweet, A. P. and Docia	S/P	0.60	\$125 per a. plus \$25.00	Parker
<u>Wasco County, Columbia River Highway</u>				
4497-Bunn, Chas. and Florence	T/P Quarry	4.23	\$33.00 per a. plus \$171.00	McChesney
<u>Sheridan-McMinnville, McMinnville-Tillamook Highway</u>				
4315-Duerst, Wm. B.	R/W	0.365	\$150 per a. plus \$210.50	Collins
4320-Christensen, Jeppe C.	R/W	4.76	\$150 per a. plus \$786.00	McCallister
4326-DeLashmutt, E. F. and Mildred	R/W	1.32	\$300 per a. plus \$204	Collins
4322-Beckett, Prentis H. et al	R/W	1.86	\$150 per a. plus \$226.00	McCallister
4317-Kirby Estate	R/W	2.59	\$150 per a. plus \$413.25	Collins
4321-Hunsaker, Jessie Reid	R/W	1.39	\$150 per a. plus \$87.00	Collins
<u>McLoed Section, Crater Lake Highway</u>				
3889-Wells, Spratt and Kate	S/P	0.98	\$100 lump sum	Benson
<u>Vernonia Section, Nehalem Highway</u>				
4341-State Supt. of Banks	R/W	7672 sq.ft.	at 3¢ sq.ft. plus \$119.84	McChesney
<u>Tollman Creek-Siskiyou Section, Pacific Highway</u>				
4528-Tilley, Ross and Ruby	S/P	1.02	\$100 lump sum	Gardiner

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Wasco and Gilliam Counties, Columbia River Highway</u>				
4506-Seufert Bros. Co.	S/P	0.60	\$10 per year	McChesney
	5 yr. lease			
4499-Seufert Bros. Co.	S/P	0.32	\$10 per year	"
	5 yr. lease			
4362-Smythe Bros., Inc.	S/P	0.41	\$25 lump sum	"
	5 yr. lease			
<u>Hooker Creek-Jordan Valley Section, Jordan Valley Secondary Highway, No. 450</u>				
4287-Maher, W. S.	G/P	2.83	\$50 per acre	Wells
<u>Hillsboro-Forest Grove Section, Tualatin Valley Highway</u>				
4493-Heinrick, Vincent	Haul Road	0.156	Gratis	Collins
	Easement			
4494-Crook, Alice Ann	Borrow Pit	0.95	\$30 lump sum	"
	2 yr. lease			
<u>McMinnville Section, West Side Pacific Highway</u>				
3806-Robertson, Kate	R/W	0.19	\$450 lump sum plus \$218.00	Collins
<u>Elgin-Forest Boundary Section, Weston-Elgin Highway</u>				
3938-Heyduck, Ben and Lela	R/W	1.56	1.38 a. at \$100 0.18 a. at \$50 plus \$803.00	W. C. Williams
<u>Alsea-Deadwood Section, Alsea-South Fork Highway</u>				
3840-Madeen, E. C.	R/W	7405 sq.ft.	at 2¢ sq.ft. plus \$60.75 plus moving buildings	Gardiner
3835-Thomas, I. L.	R/W	1315 sq.ft.	5¢ per sq.ft. plus moving service station, etc.	"
<u>Rainier Section, Lower Columbia River Highway</u>				
4026-Columbia County	R/W for drainage tunnel	167 sq.ft.	Gratis	Gardiner
<u>Mystic Creek-Powers Road Section, Coos Bay-Roseburg Highway</u>				
4482-Jennings, Laurence B. and Eva Jennings	Main. Sta. and S/P	1.32	Land \$300 plus \$300.00	Gardiner
- Breuer, Michael	S/P	1.50	\$125 lump sum	"
<u>Turkey Hill-Chenoweth Park Section, Pacific Highway</u>				
4422-Clarke, R. R.	G/P Hauling Road		3¢ per cu.yd. for material taken, and 1¢ per cu.yd. for use of hauling road	DeSouza

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Turkey Hill-Chenoweth Park Section, Pacific Highway (continued)</u>				
4365-Garrison, T.B. and E. G. Young	R/W	1.78	\$100 per a. plus \$165.00	DeSouza
<u>Bear Creek-Talent Section, Pacific Highway</u>				
4569-Stratton, W. A.	R/W	3.12	\$50 per a. plus \$70.70	Gardiner
<u>Alsea-South Fork Section, Alsea-Deadwood Highway</u>				
3845-Dewar, Marie	R/W and channel change	0.56 1.93	\$100 per acre \$50 per a. plus \$108.75	DeSouza
<u>Sheridan-McMinnville Section, McMinnville-Tillamook Highway</u>				
4325-Pringle, Albert & Mildred	R/W	1.29	\$150 per a. plus \$172.00	Collins
4323-Breeding Estate	R/W	5.553	\$150 per a. plus \$806 plus \$166.59	Collins
4319-Deurst, Jacob	R/W	7.25	\$200 per a. plus \$1795.00	McCallister
<u>Fort Klamath Junction-Klamath Falls Section, The Dalles-California Highway</u>				
4654-Wright, Ruby	Stock pile	1.07	\$250 lump sum	Kelley

The Commission discussed the matter of purchasing from Susanne and A. M. Coblentz a quarry site containing ten acres and a park site containing seven acres located adjacent to the Champoeg Park-Wilsonville Section of the Champoeg Memorial Highway, in Marion County, for which the owners have asked the sum of \$100 per acre. The Commission decided definitely that the park area should be excluded from this purchase and referred the matter to the Engineer for investigation as to the desirability and necessity of acquiring the quarry site. Such investigation is to be made at once because the Marion County Court is interested in the proposition and has expressed a desire to secure material therefrom for certain road construction in this vicinity.

The Commission also discussed the matter of acquisition of right of way for the new location of the McMinnville-Tillamook Highway across property owned by Minnie Liders and Marie Bergstrom between Sheridan and McMinnville, in Yamhill County. This purchase involves a drainage problem requiring the installation of some 4000 feet of 24-inch tile. After considerable discussion the Attorney was instructed to continue negotiations with the owners on the basis that they will receive benefits from the tile installation and should pay a portion of the cost of reconstructing the drainage system. Chairman Cabell was authorized by the Commission to pass on the final settlement of the matter.

The Commission adjourned at 12:00 o'clock noon to reconvene at 2:00 o'clock p. m. in the same room.

The State Highway Commission reconvened at 2:00 o'clock p. m. in room 204, Benson Hotel, with the same members present and participating. Also present were the State Highway Engineer, the Attorney and the Secretary.

The Commission conferred with Dr. L. I. Hewes, Deputy Chief Engineer, Bureau of Public Roads, San Francisco, and W. H. Lynch, District Engineer, Bureau of Public Roads, Portland, in regard to several road matters that are of mutual concern. The new Federal Aid Secondary Highway System was discussed. The State Highway Engineer explained that the Highway Commission has decided to defer the selection of roads to be included in this system until next fall when the factual data which is now being gathered by means of the State Wide Planning Survey will be available for study. He also said that the Commission wants to confer in the meantime with the several county courts and obtain their ideas on the selection of the roads. Dr. Hewes approved this procedure. A general discussion of the subject was then carried on.

The Commission then discussed with Dr. Hewes matters pertaining to the proposed Union Avenue Grade Separation Project in Portland. It appears that the existing structure over what is known as Sullivan's Gulch on Union Avenue is inadequate to take care of the increasing volume of traffic that uses this street and the Highway Commission proposes to replace this viaduct with a new structure and to finance the same with funds provided by the federal government for the elimination of railroad grade crossings. It also appears that there is some question in the minds of some of the government officials if this project is eligible for such funds notwithstanding that the structure crosses over the tracks of two railroad systems, one being the main line tracks of the Union Pacific Railroad and the other the spur track of the S.P. & S. Company, it being the contention of such officials that it would be necessary to span this gulch regardless of the railroads. The State Highway Engineer pointed out that, if there were no railroad tracks in the gulch, it would be more economical to construct a fill than a structure and undoubtedly that type of construction would be followed because all of the water that flows in the gulch could be accommodated by a 24-inch culvert so, in his estimation, under such circumstances, the project is eligible for the grade crossing elimination monies. After discussion and in view of the statements of the State Highway Engineer, Dr. Hewes gave as his opinion that the proposed project would qualify for the railroad grade elimination program and stated that he would offer no objections to the expenditure of railroad grade crossing elimination funds to finance the same. There followed a general discussion of other matters of mutual concern including the I.O.N. Highway but no particular action in regard to it was taken.

The Attorney brought up for discussion the matter of acquisition of right of way for the Wolf Creek Highway across the holdings of the Oregon American Lumber Company and the Western Timber Company. He said that in conformance with authority given him by the Commission at its previous meeting he wrote to each of these companies and made offers in accordance with the Commission's instructions and has since then received a communication from the Oregon American Lumber Company demanding immediate action on the part of the Commission in regard to the matter because they are anxious to proceed with their logging operations. He said that the company is particularly anxious

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for the completion of the negotiations because it concerns their methods of logging. It appears that there are two alternates available to the company, one of which requires that the logs be transported along the highway right of way for a certain distance then across the highway to their loading point which method could be followed without cost to the state, while the other method, which involves the moving of the logs directly across the highway, would cost the state about \$4,000. The Attorney said that he has been informed that it will take about 60 days for the company to move its timber; also that it would take the state's contractor, who is constructing a section of the Wolf Creek Highway at this location, about 30 days to complete his work.

The State Highway Engineer stated that he would rather let the company log its timber directly across the highway than along the highway so as to avoid the construction of a railroad on the highway right of way. He also said that he believed that the logging operations could be coordinated with the contractor's operations so as to cause no interference. After discussion the Commission decided to let the company move its logs directly across the highway thus avoiding the construction of the railroad on the highway right of way. It was also decided that the State Highway Department should assume the responsibility of cleaning up the debris caused by the company's logging operations on the highway at this point and at the old location. The Commission authorized the issuance of a permit to the company on such basis, same to expire on October 1, 1937. The Attorney was instructed to convey such information to the company and to proceed with the condemnation of the right of way across the company's holdings in the event they do not accept the proposition.

The Attorney presented a form of deed prepared by himself for the use of the State Land Board in conveying unto the State of Oregon certain state lands lying between the high and low water marks in the Columbia River which are needed for right of way for the proposed new highway up the Columbia River. He said that he presented this deed to the Clerk of the State Land Board who has returned it with a request that the following reservations and exceptions be incorporated therein: (1) clause reserving to the public the right for fishing and navigation; (2) reserving to the State of Oregon the right to lease for seining and other fishing purposes such portions of the area as are beyond the lines of the proposed highway; (3) reserving to the State of Oregon the right to receive and to be paid royalties for all sand and gravel that may be taken from the bed of navigable waters of the river outside of the lines of the proposed highway; (4) excepting and reserving to the State of Oregon all coal and other minerals, including oil and gas on the premises, together with the right to prospect for, mine and remove the same for the benefit of the irreducible school fund; and (5) reserving rights of way for ditches, canals, reservoir sites and for irrigation purposes constructed or which may be constructed by authority of the United States or otherwise. He asked the pleasure of the Commission in regard to these reservations.

The Commission disapproved reservations (1) and (3) but approved those remaining. The Attorney was instructed to prepare a new form of deed in accordance therewith and to present it to the State Land Board direct

rather than through the Clerk, so as to avoid further delay in securing the deed and the taking of options for the balance of the right of way.

The Attorney also brought up for discussion the matter of acquiring right of way for the East Portland-Oregon City Highway across the property of Mr. F. H. Humphrey, East Portland, which property is located adjacent to Grand Avenue, between Franklin and Haig Streets. He said that he originally offered to pay \$2500 for this property but Mr. Humphrey refused the same and demanded, instead, \$3,800, so the Commission authorized condemnation, which is now under way; also, that the owner has now reduced his demands to \$2,900, which amount, in his estimation, is still \$400 more than the property is worth, although he offered as a compromise settlement to pay Mr. Humphrey \$2,750. He inquired whether or not he should accept Mr. Humphrey's final offer of \$2,900 or proceed with condemnation. The Commission considered that it would be unfair to pay Mr. Humphrey more for his property than has been paid for other property in the same vicinity. Accordingly, the Attorney was instructed to continue negotiations on the basis of the compromise settlement at \$2,750, and, if Mr. Humphrey will not accept such amount, to proceed with condemnation.

The Attorney reported that in connection with acquisition of right of way for the Amity-Dayton Secondary Highway, it was necessary to acquire, in one instance, the entire holdings of R. A. Harpole, containing 6.14 acres, most of which lies outside of the standard width highway right of way. He said that he has received an offer from Mr. Harpole to lease the area outside of the right of way for the sum of \$5.00 per acre per year, and recommended that the offer be accepted. The Commission approved the recommendation by unanimous vote.

Reconsideration was given by the Commission to the matter of deed-ing to the city of North Bend the old ferry landing site on the south side of Coos Bay. In the discussion of this matter it was pointed out that the Commission at one time signed a deed conveying this property to the city but before the deed was delivered it was learned that arrangements had previously been made to use the materials from the old ferry landing in the construction of the proposed Catching Slough bridge, a P. W. A. Project; so, if such arrangements are not carried out, it will cost the state approximately \$17,000 for other materials. A question arose whether or not the Commission wished the deed delivered to the city of North Bend under the circumstances. The Commission decided to cancel this deed and so ordered.

The Engineer rendered a reconnaissance survey report on the proposed revision of the Modoc Point-Chemult Section of The Dalles-California Highway, in Klamath County. The report indicates that there are three possible routes: Route 1, which crosses the Southern Pacific Railroad near Lobert and passes about one mile west of Chiloquin; Route 2, which goes through the town of Chiloquin and crosses the railroad about two miles north of the town; and Route 3, which coincides with Route 2 through the town of Chiloquin but stays east of the railroad until it reaches the town of Kirk. The Engineer advised that Route 1 is 0.2 mile shorter than Route 2, and 0.8 mile

shorter than Route 3; that the estimated cost to construct Route 1 is approximately \$181,000 less than the cost of Route 2 and about \$257,000 less than that of Route 3; also that Route 1 contains only about one-third as much curvature as either Route 2 or Route 3, the maximum curvature being 4 degrees, whereas it has been found necessary to introduce a six-degree curve in rounding a certain sharp point southeast of Chiloquin on the other routes. He gave as his thought that the adoption of Route 1, which he considers best from an engineering standpoint, will not hurt the town of Chiloquin in any way, and has the advantage that it can be built by stage construction. In the discussion of this matter the Commission indicated a preference for Route 1, as suggested by the Engineer, but deferred a definite decision pending a conference with the people of Chiloquin who were given to understand that they would have an opportunity to express themselves in regard thereto before the Commission took definite action. The Secretary was instructed to invite these people to the next meeting of the Commission for such conference. He was also instructed to send them a copy of the engineer's report and to tell them that from a state-wide standpoint it appears to the Commission that Route 1 is best by virtue of its being shorter than the other routes and less costly to construct; however, the Commission will defer its decision until the people of Chiloquin have been heard in the matter.

The Engineer then requested instructions in regard to extending the surveys that are now under way between Modoc Point and Lobert. He said that all three routes coincide between these points but the question now arises along which route the Commission desires the survey to be extended north of Lobert. He was instructed and authorized to continue such survey on the route between Lobert and the junction with the present highway near Klamath Agency, which represents the eventual route of the Crater Lake Highway connection provided Route 1 is made the permanent location of The Dalles-California Highway.

The Secretary reported receipt of a communication from the City Recorder of Port Orford to the effect that the city is desirous of securing the Port Orford Dock road improvement heretofore authorized by the Commission and guarantees that the right of way needed for the same will be procured by the city; also requesting an extension of time of 30 days within which to secure such right of way. In the discussion of this matter the question arose as to the status of this road—whether it is a city street under the jurisdiction of the city authorities or is a county road under the jurisdiction of the County Court of Curry County. The question also arose as to whether or not the dock to which the road leads has been rebuilt, and whether it is publicly owned or is a private enterprise. Action on the project was deferred by the Commission pending receipt of such information.

The Commission considered and approved the following state force oiling projects for this year's construction, same to consist of light oil treatment:

McKenzie Highway, M.P. 55.0 - M.P. 75.7	20.7 mi. at	\$725	\$15,000
Salem-Dayton Secondary Highway #150	11.5 " "	600	7,000
Sams Valley Secondary Highway #271	5.0 " "	600	3,000

(Continued on next page)

(State Force Oiling Projects, continued)

Rogue River Loop Secondary Hwy. #260	3.3 mi. at	\$600	\$2,000
Joseph-Wallowa Lake Secondary Hwy. #351	6.2 " "	645	4,000
Flat Creek-John Day Highway	17.0 " "	765	13,000
Secondary Highways #140 and #151	4.0 " "	600	2,400

The Commission also approved an expenditure of an additional \$2000 for oiling the Coos River Secondary Highway between Isthmus Slough Bridge and the concrete pavement at Eastside, in Coos County, it now appearing that the \$6,000 set up for such work is insufficient.

The Engineer reported that in accordance with authority heretofore granted him by the Commission he awarded the following contracts for which bids were taken by the Commission on March 25 and March 26, 1937:

Myrtle Point-Mystic Creek Rock Production Project on the Coos Bay-Roseburg Highway, in Coos and Douglas Counties. Bids taken March 25, 1937. Contract awarded April 6, 1937, to Homer G. Johnson, Portland, the low bidder, at \$24,030.00.

Fort Klamath-Chiloquin Rock Production Project on The Dalles-California and Chiloquin Highways, in Klamath County. Bids taken March 26, 1937. Contract awarded on April 6, 1937, to A. S. Wallace, Roseburg, the low bidder, at \$17,680.00.

Memaloose Park-Dillon and John Day River-Blalock Sections of the Columbia River Highway, in Gilliam, Sherman and Wasco Counties. Bids taken March 26, 1937. Contract awarded on April 6, 1937, to H. L. Rice, Portland, at \$21,772.00.

He also reported that on April 10 he awarded to Contractor E. C. Hall, Eugene, the contract for furnishing rock for the Bend-Crescent Section of The Dalles-California Highway, in Deschutes and Klamath Counties, for which Mr. Hall submitted the low bid of \$24,700 on November 5, 1936.

He advised that the conditions of the awards in each instance have been satisfied. The Commission by unanimous vote confirmed the award of the above described projects as reported by the Engineer.

The Commission considered and by unanimous vote adopted the following resolution lifting the reduced load limits that have been in effect on certain state highways for the past several weeks, the Engineer having advised that these roads are deemed sufficiently dry and stabilized at this time to permit the carrying of loads weighing up to the legal weight limit.

WHEREAS, on the tenth day of March, 1937, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highways:

THE DALLES-CALIFORNIA HIGHWAY from Lapine in Deschutes County to Klamath Falls in Klamath County;

KLAMATH FALLS-LAKEVIEW HIGHWAY from its junction with The Dalles-California Highway in Klamath County to Lakeview in Lake County;

OCHOCO HIGHWAY from Redmond in Deschutes County to Prineville in Crook County;

KLAMATH LAKE SECONDARY HIGHWAY from Klamath Falls to Rocky Point in Klamath County;

MT. HOOD HIGHWAY from its junction with the Columbia River Highway southerly about 13 miles to Mt. Hood Postoffice in Hood River County;

SALMON RIVER HIGHWAY from its junction with the McMinnville-Tillamook Highway at Valley Junction to Boyer;

and

WHEREAS, subsequent to the passage of said resolution conditions have changed so that it is now no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limits set out in said resolution on the said state highways;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

THE DALLES-CALIFORNIA HIGHWAY from Lapine in Deschutes County to Klamath Falls in Klamath County;

KLAMATH FALLS-LAKEVIEW HIGHWAY from its junction with The Dalles-California Highway in Klamath County to Lakeview in Lake County;

OCHOCO HIGHWAY from Redmond in Deschutes County to Prineville in Crook County;

KLAMATH LAKE SECONDARY HIGHWAY from Klamath Falls to Rocky Point in Klamath County;

MT. HOOD HIGHWAY from its junction with the Columbia River Highway southerly about 13 miles to Mt. Hood Postoffice in Hood River County;

SALMON RIVER HIGHWAY from its junction with the McMinnville-Tillamook Highway at Valley Junction to Boyer;

be and the same is hereby rescinded and cancelled as of this date, and the maximum load limit permissible on the said sections of the said highways hereafter shall be the maximum load limit provided by law; and it is further ordered that a certified copy of this resolution be furnished to the county clerk of each county in which said highways are located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police, for his information.

The Attorney brought up the matter of the Commission's authority with respect to purchases made by the State Purchasing Department upon request and requisition of the State Highway Commission. During the discussion the question arose as to the extent of the Commission's authority, so it was deemed advisable to secure the Attorney General's opinion in regard thereto. It was the thought of the Commission that a request for such opinion should be made jointly by the Commission and the Board of Control because it involves an encroachment upon the State Purchasing Agent's interpretation of the law relative to state purchases. The Engineer was instructed by the Commission to discuss the matter informally with the State Purchasing Agent.

The Engineer reported receipt of information to the effect that certain automotive vehicle manufacturers are now building or propose to build trucks and trailers which are not provided with springs. He said that if this type of vehicle is permitted to operate on the highways of this state, serious damage to the highways will result. He suggested appropriate action by the Commission to prevent the use of state highways by such equipment. The Attorney gave as his opinion that the Commission now has authority to prohibit the use of such vehicles on state highways if it can be established that the operation of such vehicles on public highways is unusually detrimental and increases the cost of maintenance. Chairman Cabell suggested that the problem might be satisfactorily taken care of by notifying all persons engaged in log hauling on state highways that the Commission will not approve of such operations if the equipment used in connection therewith is not equipped with springs. The Commission approved the suggestion by unanimous vote and instructed the Engineer to ask the Public Utilities Commissioner to include a clause to that effect in all log-hauling permits that are hereafter issued from his office.

The Commission considered and approved the sale of eight stub creosoted piling, varying in length from 13 to 21 feet, to one J. M. Hartley for the sum of \$5.00 each, such sale having been recommended by the Board of Survey appointed by the State Highway Engineer to look into the matter.

Consideration was given by the Commission to the matter of the disposal of the unearned portion of the premium on the insurance furnished by Mr. F. G. Brown on his personal equipment that was used in connection with snow removal operations on the Klamath Lake Secondary Highway in Klamath County under agreement with the State Highway Commission. The Secretary advised that he has received a communication from Mr. Brown to the effect that the

snow season is past and there is no reason to allow the insurance to remain in force, and that he would like to cancel this policy in order to secure the benefit of the refund on the unearned portion of the premium. He requested instructions from the Commission in view of the fact that the agreement with Mr. Brown called for a specified amount to be paid him for each trip that he made with his equipment in removing snow from this highway and an additional amount to pay the cost of the insurance which the state demands. He gave as his understanding that the Commission did not intend that Mr. Brown should secure the benefit from the refund and that, if anyone should secure such benefit, it should be the state inasmuch as the state paid the original premium expense and did not intend that the unearned premium should act as a bonus in Mr. Brown's favor. The Secretary also advised that Mr. Brown contends that he was informed by one of the state highway department employees that he would receive any refund that the insurance company saw fit to pay in the event the insurance was cancelled before its anniversary date. After a discussion of this matter the Commission ordered that Mr. Brown's assertions be investigated. If they are found to be correct, then Mr. Brown is to receive the benefit of the refund from the insurance company; otherwise, the state is to receive such benefit.

A resolution was presented from the town council of Eagle Point, Oregon, Jackson County, requesting the improvement of the Little Butte Creek Secondary Highway from its intersection with the Crater Lake Highway to and through the town of Eagle Point, in accordance with surveys heretofore made by the State Highway Engineering Department. The Engineer gave as his thought that this proposed improvement should be deferred until the highway outside of the town of Eagle Point has been improved and oiled. The Commission concurred and so ordered.

The Secretary presented a letter from Ed. W. Miller, Manager, Oregon Coast Highway Association, inviting the members of the Commission and its staff to attend the semi-annual meeting of the Association in Toledo, Oregon, on April 18 and 19. The Commission appointed Assistant State Highway Engineer C. B. McCullough and Construction Engineer H. G. Smith as its representatives at this meeting. The Secretary was instructed to so inform Mr. Miller and to express regrets that the members of the Commission personally will be unable to attend.

The Commission discussed briefly the proposed improvement of the Lower Columbia River Highway near Johnson's Crossing, which involves the securing of right of way through a certain cemetery at this place. The Engineer suggested that if the Commission so desires it could construct this section on the new alignment up to each side of the cemetery and defer the construction of the cemetery section until a later date. After discussion the Commission decided to let this matter rest until later in the year, when it may be possible to secure the right of way through the cemetery.

The Commission considered a letter from Contractor Clifford A. Dunn, Klamath Falls, suggesting the opening of bids by the Commission during the afternoon session on Commission meeting days rather than in the morning, as at

present. The Commission declined to change its present practice due to the fact that it would then be necessary to defer the award of contracts until the following day, and for the further reason that it would cause too much inconvenience to people who attend these meetings.

A letter was presented from Harry Jeffries, Secretary of the Devils Lake Devils, Oceanlake, Oregon, requesting the construction of sidewalks along the Oregon Coast Highway between Cutler City and Oceanlake. The Commission denied the request because it is of the belief that such improvements are primarily of local concern and therefore are local obligations. The Commission indicated, however, that it would give the matter earnest consideration at some future date in the event that it should change its ideas on the subject.

The Commission had under consideration a letter from Contractors Orino, Birkemeier & Saremal requesting an extension of time from February 28 to July 1, 1937, within which to complete their contract, No. 1815, for the construction of the Arch Cape Tunnel Section of the Oregon Coast Highway, in Clatsop County. They stated that their failure to complete the project within the specified time limit was occasioned by extra work ordered by the Engineer under price agreement No. 5, dated January 29, 1937. The Engineer advised that the plans for this tunnel construction were changed because of conditions encountered in the tunnel and it was necessary to consummate a price agreement with the contractors for the furnishing of considerable additional treated timber. This change, he said, caused considerable delay in construction operations and it was agreed with the contractor when the change was ordered that an extension of time would be allowed within which to complete this work. He recommended, therefore, that the extension requested be granted without penalty. In support thereof he submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the Engineer's recommendation by unanimous vote.

The Engineer reported on the cost to remove snow from the McKenzie Highway summit and on the Santiam Highway throughout Hogg Pass. He estimated that to open the McKenzie Highway between Mile Post 85 and Mile Post 68, at Frog Lake, would take 27 working days with two snogos each working eight hours per day and six days a week, and that such work would cost about \$6,000. He estimated that it would take about 28 days for one snogo to open up the Santiam Highway from Suttle Lake to a junction with the Belknap Springs road leading to the McKenzie Highway, and that such work would cost approximately \$2,400. On this basis, he said, the McKenzie Highway would be open about May 17, and the Santiam Highway to the connection with the Belknap Springs road would be open about May 15; but travel over both roads should not be allowed for an additional ten days so as to give the road a chance to dry out before being put to use. He further advised that he is in receipt of information to the effect that the United States Forest Service is willing to open its road between Belknap Springs and a connection with the Santiam Highway near Hogg Pass provided the state will open up the Santiam Highway so as to permit travel to Central Oregon; and provided, further, that the state will furnish a couple of trucks to haul surfacing materials needed on the northerly two-

mile section of this road after the snow has been removed; all labor for such work to be furnished by the Forest Service from its C.C.C. camps in this vicinity, the state to furnish trucks only. It appears that the Forest Service is without any funds to pay for the rock work which is necessary in order to maintain travel after the snow is removed, but they are willing to furnish the labor if the state will furnish the equipment. The Engineer recommended the acceptance of the Forest Service's offer for the opening of the Santiam Highway between Suttle Lake and a connection with the Belknap Springs road. It was his thought that the opening of the McKenzie Highway should be deferred until later. After discussion the Commission approved the recommendation by unanimous vote and instructed the Engineer to time the opening of the Santiam Highway to coincide with the opening of the C.C.C. road by the Forest Service.

The Engineer reported the need for three automobiles for the use of employees who are engaged in the state-wide planning survey work. He said that he hesitated to purchase new cars for this purpose because the work is of a temporary nature. On the other hand, to rent private cars is contrary to the orders of the Commission and the State Purchasing Department. The Commission appeared favorably inclined to the renting of cars in this instance and instructed the Engineer to confer with the State Purchasing Agent in regard thereto.

The Engineer discussed with the Commission a letter from C. C. Hockley, State Director of the Federal Emergency Administration of Public Works, relative to the new rules and regulations which are to govern federal allotments for P.W.A. projects. Mr. Hockley indicates that future allotments will be made to non-federal public bodies, with a grant not to exceed 45 per cent, based on all-relief labor, plus 15 per cent of the cost of such relief labor. He also stated that in establishing the lists eligible for allotments under this condition, it will be necessary to know whether the public body will be willing to include in its costs the transporting of needed men from other districts when not available in the district in which the project is located. The Engineer gave as his thought that the state would gain nothing by attempting to finance highway projects with P.W.A. money, in view of the new rules, unless the projects are located near centers of population.

Chairman Cabell suggested revising the present program to include only the projects that are located near population centers. Commissioner Aldrich concurred. The Engineer thereupon was instructed to render a report at the next meeting, on April 27, on each project in the present P.W.A. program, the idea being that the Commission will then select the projects which it wishes to undertake under the new set-up. He was also instructed to inform Mr. Hockley of the action taken and to advise him further that the Commission will not provide transportation for the men because the Commission questions the feasibility of doing this and feels that it would work to the state's disadvantage; also, that the Commission considers the change in the rules almost a breach of faith and is of the opinion that the rules should be modified, at least to the extent that the retroactive feature be eliminated.

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The Commission considered and signed an agreement with the Southern Pacific Company relative to the construction of what is known as the Cook Overcrossing on the West Portland-Hubbard Highway, in Washington County.

The Commission had under discussion the establishment of a standard wage schedule for women employees of the State Highway Department. After discussion the following wage schedule was adopted by the Commission by unanimous vote, and the Engineer was authorized to place this schedule in effect as of April 1, 1937:

STANDARD WAGE SCHEDULE FOR WOMEN EMPLOYEES

Effective April 1, 1937

		Monthly Rate
1. <u>Secretaries</u>		
First class	- - - - -	\$150
Second class	- - - - -	135
Third class	- - - - -	125
2. <u>Stenographers</u>		
First class	- - - - -	\$115
Second class	- - - - -	110
Third class	- - - - -	100
Fourth class	- - - - -	90
3. <u>Typists</u>		
First class	- - - - -	\$ 90
Second class	- - - - -	80
4. <u>Key Punch Operators</u>		
First class	- - - - -	\$ 90
Second class	- - - - -	80
5. <u>Clerks</u>		
First class	- - - - -	\$125
Second class	- - - - -	110
Third class	- - - - -	100
Fourth class	- - - - -	90
Fifth class	- - - - -	80

The Commission also considered and approved the following salary schedule for specific women employees, effective as of April 1, 1937:

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## PROPOSED SALARY SCHEDULE FOR WOMEN EMPLOYEES

To Be Effective April 1, 1937

Department	Name	Classification	Present Rate	Proposed Rate
Baldock	Ingrey, Helen M.	Secretary, 1st Cl.	\$150.00	\$150.00
McCullough	Putnam, Alice	Secretary, 2nd Cl.	135.00	135.00
Devers	Welch, Pauline	Secretary, 2nd Cl.	135.00	135.00
	Welch, Anona	Secretary, 3rd Cl.	100.00	125.00
	McFarland, Jane J.	Steno., 3rd Cl.	95.00	100.00
	Knox, Cecile	Steno., 4th Cl.	80.00	90.00
	Ruffner, Florence	Steno., 3rd Cl.	80.00	100.00
Glaisyer	Currie, Mabel	Secretary, 2nd Cl.	120.00	135.00
	Beldin, Rae W.	File Clerk	115.00	115.00
	Monson, Ann L.	Steno., 1st Cl.	110.00	115.00
	Lewis, Marie B.	Steno., 2nd Cl.	100.00	110.00
	Riggs, Lois	Telephone Operator	90.00	100.00
	Elliott, Celeste E.	Steno., 3rd Cl.	80.00	100.00
	Morgali, Gladys M.	Mimeograph	80.00	90.00
	Sheldon, Eleanor	Clerk, 5th Cl.	80.00	80.00
Boardman	Ruble, Zelle	Secretary, 2nd Cl.	135.00	135.00
H.G.Smith	Hathaway, Ella C.	Clark, 1st Cl.	120.00	125.00
	Rose, Ann V.	Steno., 2nd Cl.	95.00	110.00
Bishop	Rickey, Esther	Secretary, 2nd Cl.	120.00	135.00
	Grimm, Zelma	Steno., 4th Cl.	80.00	90.00
	Herbert, Janet V.	Steno., 4th Cl.	80.00	90.00
Paxson	Krebs, Dorothy	Secretary, 3rd Cl.	120.00	125.00
	McClary, Charlotte	Steno., 3rd Cl.	85.00	100.00
	Blaisdell, Dorothy	Typist, 1st Cl.	80.00	90.00
	Harrison, Twila	Typist, 1st Cl.	80.00	90.00
Probert	Rupert, Ethel	Secretary, 2nd Cl.	135.00	135.00
	Struble, Gertie	Steno., 2nd Cl.	100.00	110.00
	Erpelding, Magdaline	Steno., 3rd Cl.	80.00	100.00
Auditing	Wicklander, Amanda A.	Clerk, 1st Cl.	125.00	125.00
	Chamberlin, Gertrude	Clerk, 1st Cl.	115.00	125.00
	Givan, Ruth	Clerk, 2nd Cl.	100.00	110.00
	Lucas, Caroline	Clerk, 2nd Cl.	100.00	110.00
	Oraw, Louise	Clerk, 3rd Cl.	90.00	100.00
	Sessine, Isabelle	Steno., 3rd Cl.	90.00	100.00
	Williams, Mabel T.	Clerk, 3rd Cl.	90.00	100.00

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## (Proposed Salary Schedule for Women Employees, continued)

Department	Name	Classification	Present Rate	Proposed Rate
Auditing (continued)	Baird, Esther	Typist, 1st Cl.	\$ 80.00	\$ 90.00
	Becker, Margaret	Steno., 4th Cl.	80.00	90.00
	Johnson, M. Jean	Typist, 1st Cl.	80.00	90.00
	Miller, Catherine	Typist, 1st Cl.	80.00	90.00
	Urlaub, Clara	Clerk, 4th Cl.	80.00	90.00
Cost	Mathis, Meda A.	Key Punch Operator	85.00	90.00
	Danielson, Evelyn L.	Key Punch Operator	75.00	90.00
Say	Quint, Margery F.	Secretary, 3rd Cl.	120.00	125.00
	Beeson, Mildred A.	Steno., 2nd Cl.	95.00	110.00
Widdows	Cation, Lila L.	Steno., 4th Cl.	80.00	90.00
Shops	Bairey, Pearl	Clerk, 2nd Cl.	110.00	110.00
	Reeves, Myrtle	Steno., 2nd Cl.	105.00	110.00
	Amort, Peggy	Clerk, 4th Cl.	80.00	90.00
	Callahan, Wilda	Clerk, 4th Cl.	80.00	90.00
	Campbell, Lenore	Key Punch Operator	80.00	90.00
Division Offices	Vinson, Alice G.	Clerk, 1st Cl.	120.00	120.00
	Potter, Dorothy	Steno., 3rd Cl.	100.00	100.00
	Monson, Agnes	Steno., 3rd Cl.	90.00	100.00
	Fullerton, Agnes	Steno., 3rd Cl.	90.00	100.00
	Elder, Marguerite	Steno., 3rd Cl.	90.00	100.00
	Alery, Marie E.	Steno., 3rd Cl.	90.00	100.00
	Fletcher, Agnes	Steno., 4th Cl.	80.00	90.00
Planning	Johnson, Dorothy E.	Key Punch Supervisor	85.00	90.00
	Bullis, Jean E.	Key Punch Operator	80.00	90.00
	Ganz, Phyllis E.	Key Punch Operator	80.00	90.00
	Huggins, Bernice E.	Key Punch Operator	80.00	90.00
	McHargue, Hazel J.	Steno., 4th Cl.	80.00	90.00
	Berger, Virginia	Steno., 4th Cl.	80.00	90.00
	Bickford, Alene	Steno., 4th Cl.	80.00	90.00
	Coulter, Eleanor	Office Asst.	80.00	90.00
			\$6,185.00	\$6,760.00

The Commission also considered and by unanimous vote approved the following proposed changes in salary schedules of various highway department employees and ordered that they be placed in effect as of April 1, 1937:

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PROPOSED CHANGES IN SALARY SCHEDULES

To Be Effective April 1, 1937

Sub-department	Name	Classification	Present Rate	Proposed Rate
Secretarial	Glaisyer, H. B.	Commission Secretary	\$300	\$325
Right of Way	Schannep, I. M.	Title Examiner	240	250
Office Engineering	Hutchinson, Frank G.	Artist-draftsman	200	225
	Heuperman, L. F.	Engineer-draftsman	170	200
	Simpson, H. B.	Draftsman	160	170
	Johnson, A. M.	Tab. Mach. Operator	150	160
	Adams, Hugh	Photostat Operator	140	150
	Tucker, Guy	Pay roll checker	100	110
Auditing	Yeager, G. M.	Asst. Auditor	175	200
Construction	Otten, Geo. H.	Landscape Engineer	275	300
	Benedict, A. V.	Resident Engineer	210	225
	Clymer, E. H.	Cost Analyst	175	185
Maintenance	Patton, Wm. R.	Radio Technician	170	185
	Isham, John	Officeman	140	150
Planning	Walton, James J.	Office Manager	175	200
	Gallagher, Joseph J.	Tab. Mach. Operator	100	110
			\$2,880	\$3,175

The Commission's approval of all of the above salary schedules was given, subject to concurrence by the Executive Secretary to the Governor.

There being no further business to come before the Commission at this time, the meeting was declared adjourned at 5:30 o'clock p. m.

*James J. Walton*  
State Highway Engineer

*H. B. Glaisyer*  
Secretary

*Henry F. Cabell*  
Chairman

*E. B. Aldrich*  
Commissioner

Portland, Oregon, April 26, 1937.

The State Highway Commission met in special session at 8:00 o'clock p. m. in Room 204 Benson Hotel. Present were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
J. M. Devers, Attorney  
H. B. Glaisyer, Secretary

The County Court of Tillamook County, consisting of County Judge H. H. Rosenberg and County Commissioners E. H. Lindsey and E. G. Anderson, was present and discussed with the Commission Tillamook County's indebtedness to the state for road construction purposes, and the proposed oiling program for certain county roads in Tillamook County. The state's original claim against the county is in the amount of \$100,000 and represents the amount due the state by reason of an agreement with the county when the Neahkahnie Mountain-Cannon Beach Road was designated a primary state highway. The county's counterclaim against the state is in the amount of \$40,174.83, representing the following items: cash paid to the state in accordance with the above-mentioned agreement, \$21,896.00; credit for purchase of right of way north of Tillamook City, \$5,004.00; credit for survey on the Neahkahnie Mountain road, \$6,261.78; right of way on the Neahkahnie Mountain road, \$1,713.05; county cooperation for oiling the road between Wheeler Overcrossing and Manzanita Junction, which is being used as a state highway detour, \$5,300.00. After considerable discussion the Highway Commission accepted the county's claim for credit as being substantially correct and agreed to accept the sum of \$30,000 as payment in full of the balance of the county's indebtedness. The Commission also agreed to expend this \$30,000 for additional construction work on the Neahkahnie Mountain road over and above the \$100,000 that the Commission has budgeted for this year's construction on this road, making a project costing \$130,000. It was also agreed that, if the amount of the state's contract is less than the full \$130,000, then the difference between the contract price and \$130,000 shall be expended for the construction of a small bridge on this section. The County Court accepted the Commission's offer of settlement and thereupon signed an agreement with the Commission covering the matter and delivered to the Commission \$30,000 in county warrants, in denominations of \$500 each. The Engineer was instructed to cash the warrants through the office of the State Treasurer.

The Tillamook County road oiling program was then discussed. The County Court asked the Commission to place the following county roads on the Federal Aid Secondary Highway System and to oil the same this year: (1) Pacific City county road between the Oregon Coast Highway and Woods; (2) Netarts county road from the west end of the bridge at Tillamook to Netarts; (3) Nehalem East county road, northerly and easterly from the town of Nehalem to a connection with the Oregon Coast Highway. Judge Rosenberg stated that these three roads are the most important county roads in the county and

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that the County Court is ready and willing to put up \$15,000 of county funds along with the state's money for the improvement of the same.

Tom Davis, representing the Bureau of Public Roads, was present and objected to the placement of the Pacific City road on the Federal Aid Secondary System, because it has not been constructed to proper standards, has a low grade line, and is subject to inundation during periods of high water. He also objected to the placement of the Nehalem East county road on the Federal Aid Secondary System, particularly the section which extends from a point about 1.6 miles north of Nehalem easterly to the town of Mohler, because this section is also low and subject to overflow.

The State Highway Engineer made the following suggestions: that the Netarts road be designated as a Federal Aid Secondary Highway from Tillamook to Oceanside, a distance of 9.5 miles; that the Nehalem East road between the town of Nehalem and the North Fork bridge over the Nehalem River, a distance of 1.6 miles, also be placed on this system at this time to permit oiling of the same this year, the balance to be so designated when the state-wide planning survey has been completed and it is known whether or not the road should be extended easterly to Mohler or northerly to another junction with the Oregon Coast Highway. He also suggested that the Pacific City road be not placed on the Federal Aid Secondary Highway System but that the surfacing of the same be financed with strictly county funds, which would make it possible to finance the rock-ing and oiling of the other two projects with strictly federal and state funds.

County Commissioner Anderson inquired whether or not the Commission would include the Pacific City road improvement in the state's contract for the oiling of the other two roads. He was informed by Chairman Cabell that the Commission would be glad to do this but the county would have to take its chances on securing a satisfactory bid because the state would have no alternative but to accept the low bid received for the entire project, in view of the rules and regulations of the Federal Government. The County Court said that they would take that chance.

After further discussion the following arrangement was mutually agreed upon: (1) the State Highway Commission will cause surveys to be made at once of all three roads under discussion; (2) the State Highway Commission will also enter into a contract for the grading, surfacing and oiling of a 3.1-mile section of the Netarts county road extending westerly from the bridge at Tillamook, and a 1.6-mile section of the Nehalem East county road extending northerly from the town of Nehalem; and in connection with these two jobs the state will also take bids in behalf of the county for the improvement of a 3-mile section of the Pacific City county road between its junction with the Oregon Coast Highway and Woods. The County Court agreed to furnish all right of way that is needed for these projects and to maintain the roads after construction. The County Court also agreed to furnish, free of cost to the state's contractor and the state, its quarry and crushing equipment located at its Cronin Creek quarry site.

The State Highway Engineer was thereupon authorized by the Commission to ask the Bureau of Public Roads to approve the Netarts county road

from Tillamook to Oceanside, a distance of 9.5 miles, and the Nehalem East county road from Nehalem to the North Fork bridge, a distance of about 2.5 miles, as Federal Aid Secondary Highways.

The above arrangement was made contingent upon the Commission having legal authority to spend state money for the improvement of county roads that are on the Federal Aid Secondary Highway System. The Attorney was instructed to give the Commission his written opinion in regard thereto at the earliest possible time. He was also instructed to prepare a form of agreement between the county and the state covering the above arrangement.

The Commission considered and referred to the Attorney for investigation and recommendation the matter of a building encroachment on the right of way of the Oregon Coast Highway near the Coates Lumber Company's plant just north of Tillamook. It appears that the Tillamook County Court at one time acquired this right of way and paid the owner of the building a certain sum to move the building off the right of way, but apparently he did not do this, because recent surveys indicate that the building still encroaches on the right of way. Furthermore, the owner alleges that he has never been paid for the right of way and will stand suit to retain possession of his property if he is not compensated for the moving of the building at this time.

The Commission by unanimous vote approved the minutes of the meetings held on November 5, November 17 and 18, and December 1, 1936.

The Commission reconsidered the matter of abandoning the section of the old Oregon Coast Highway across the sand spit at South Beach, in Lincoln County, and the report of the Engineer relative to logging operations that are being carried on along this road. The Engineer said that in accordance with instructions from the Commission the old road has been barricaded with a gate, which is under lock and key, and that investigation reveals that there are certain logging operators who would like to use this road and the old ferry dock and slip rather than the log dump that they are now using south of the barricade; but, in his opinion, this should not be permitted because it would then be necessary for the state to maintain the roadway, which is on a narrow sand spit and is liable to be washed out at any time, necessitating costly improvements. He also questioned the advisability of permitting these logging operators to transport their logs across the state's property at the south end of the sand spit. After discussion, the Commission re-referred the matter to the Engineer to work out a satisfactory solution with the logging operators for the use of the road south of the barricade. He was instructed, in the event that he decided to permit the logging operators to cross the state property, to make it clear to them that they are carrying on their operations at their own risk and that they would have to maintain the road at their own expense.

The Commission also considered the report of the Engineer on the request of citizens of Glenada that the old ferry landing at the south side of the Siuslaw River, opposite the town of Florence, be left in place for their use. The Engineer recommended the removal of this ferry slip because it is located close to the new bridge and would detract from the beauty of the

bridge structure and the landscaping at the end of the bridge. The Commission approved the recommendation by unanimous vote and so ordered.

The Commission had under consideration a letter from Mr. F. L. Shull, Chairman of the Board of County Commissioners, Multnomah County, recommending favorable action on the request of the Western Multnomah County Pioneers Association for the construction of a retaining wall along the Columbia River Highway near Corbett, to prevent the sliding of materials onto a site which they have selected for a memorial for early pioneers. The Engineer recommended that the request be denied since it would cost about \$500 to do what they ask and the state will receive no benefits therefrom. The Commission approved the recommendation by unanimous vote.

The Engineer brought up for discussion the matter of improving the Frenchglen Secondary Highway in Harney County. He advised that three C.C.C. camps have been established on the Malheur Bird and Game Reservation in this vicinity, employing about 500 men who are working in cooperation with the Biological Survey in the construction of roads, dikes, canals, lakes, et cetera, for use in connection with the preservation of wild life and migratory birds, and that in developing such project the Government has already purchased and delivered considerable road-building equipment to facilitate construction operations, including road building. He further advised that the superintendent of construction for the C.C.C. work has offered to utilize this equipment for the improvement of the Frenchglen Secondary Highway during a time when it is not needed on the game reservation and will do the necessary grading work on this road, which is estimated to cost about \$5,000 per mile, if the state will furnish right of way, culvert pipe, and blasting powder as may be required. He further stated that it is contemplated that from seven to ten miles of highway would be constructed each year as long as the C.C.C. camps are maintained, which would mean that the state would benefit to the extent of at least \$35,000 a year at a cost of only about \$5000 for the items that it would be required to furnish. He gave as his thought that the offer is a good one and recommended that it be accepted as a trial proposition for a period of one year. The Commission approved the recommendation by unanimous vote.

The Engineer reported that certain citizens in Pendleton are desirous of having Turner Street, for a distance of one block westerly from Benefit Street, paved, and have asked the state to assume one-half the cost of the paving because the state owns all of the property on the north side of the block. He said that the state's property was acquired as right of way in connection with the East Pendleton Grade Separation Project; and, while the paving of the street will be of no particular benefit to the state, he would not want to stand in the way of the improvement, which is to be undertaken under Bancroft Act proceedings, if the people really want it. He estimated that the state's share of the cost would amount to not more than \$2000 and requested instructions from the Commission relative thereto. After discussion the Commission decided to offer no protest to the improvement and instructed the Secretary to so inform the Pendleton City Council. He was also instructed to inform the Council that the state will pay its proportionate share of

the cost in full as soon as the amount thereof has been determined and the work completed.

Reconsideration was given by the Commission to the matter of construction of the Port Orford Dock road in the town of Port Orford, to finance which the Commission had heretofore budgeted \$10,000 of federal secondary moneys. The Assistant Attorney stated he made certain investigations in regard to this project as instructed by the Commission at a previous meeting, and ascertained that this road is within the corporate limits of Port Orford and is considered as a city street. Furthermore, the dock, which was destroyed a year ago by severe winter storms, has been rebuilt, but that the breakwater has not been reconstructed. He also said that this dock is a private enterprise and is not intended for general public use. As to the right of way, he said that the people of Port Orford are now negotiating for the same, and, while they are having some difficulty in securing the same, they believe eventually they will secure deeds for all of the land that is required. He pointed out that the Government is now investigating the possibilities of opening up Garrison Lake, located between the town of Port Orford and the Ocean, as a dock terminal, which would require the construction of a channel for deep sea boats, leading from the ocean to the lake; and, if this project materializes, the dock in Port Orford will be of no particular benefit to anyone.

The Engineer suggested, in view of the circumstances, that the moneys allocated to the Port Orford Dock road be reallocated to some other road project in Curry County and suggested the Squaw Creek road easterly from its connection with the Oregon Coast Highway at a point about three miles north of Wedderburn, up the Rogue River a distance of about one mile to the junction with the county road which continues up the Rogue River, for which the County Court has heretofore expressed a preference. It was his thought that this road could be improved very nicely with the funds at hand. After discussion, the Commission approved the Engineer's suggestion by unanimous vote and instructed the Secretary to inform the Curry County Court that the Commission is willing to reallocate the funds if the Court will request the same in writing. He was also instructed to convey the information to the Port Orford City Council and to inform the Council that in so far as the state is concerned further negotiations for right of way for the Port Orford Dock road may be discontinued because the Commission has decided to abandon such project.

The Commission had under discussion the offer of the United States Army Engineers to pay to the state the sum of \$75,000 for damage that will be done to the Interstate Bridge Secondary State Highway No. 280, Hood River County, by reason of the Bonneville Dam construction. It appears that water confined by the Dam will inundate the present highway and in the estimation of the army engineers it will cost about \$75,000 to rebuild the highway to the proper elevation. The Engineer pointed out that the Commission has plans to reconstruct the Columbia River Highway between Hood River and Mosier at some future date when funds are available and that the location would probably be toward the river from the present highway. He suggested, in view thereof, that it would be a good idea now to accept the Government's offer and spend

this money for the construction of a unit of the Hood River-Mosier Section on permanent alignment, which unit could be used to replace the present secondary highway, and, at some future date when the Commission has funds to spare, the improvement could be extended to Mosier in accordance with the proposed plan. He pointed out that the moneys provided by the army engineers would not be sufficient to finance the entire improvement from Hood River to the secondary highway connection and that the Commission would have to put up about \$155,000 from some other source; furthermore, the project would have to be approved by the Bureau of Public Roads if it is to be financed with federal moneys. He also said that the army engineers have agreed to acquire the right of way.

Tom Davis, Highway Engineer, Bureau of Public Roads, was present and expressed himself as being uncertain as to whether or not the Bureau would approve the project for federal funds in view of the fact that the project for immediate construction simply provides for a new secondary highway connection to a toll bridge. He asked that full information be forwarded to his office for study.

After discussion the Commission authorized and instructed the Engineer to make a location survey for a revision of the Columbia River Highway between Hood River and Mosier and to forward complete information in regard thereto to the Bureau of Public Roads, when the survey is completed. He was also instructed, in the meantime, to furnish the Bureau with data assembled from the reconnaissance survey which he said has already been made of this section.

The Engineer discussed with the Commission the matter of installing gasoline tanks of 1000-gallon capacity in each of the Highway Department's section headquarters, of which there are 117 throughout the state, it being his thought that if gasoline is purchased in large quantities from one company a reduction in price might be secured. Action on this matter was deferred by the Commission pending receipt of additional information which the Engineer was to secure, if possible, for consideration at the next meeting.

The Attorney reported the status of the controversy concerning the acquisition of right of way needed for the Wolf Creek Highway through the property of the Western Timber Company. He said that in accordance with instructions from the Commission he discussed with the Company's representative, Mr. Charles McColloch, the Commission's offer for this property, based on the report of Mr. Nonda Andersen, who was retained by the Commission for such purpose, and Mr. McColloch expressed the willingness of his company to accept Mr. Andersen's estimate of the cost of building a logging road along the route originally contemplated by the company, and its willingness, also, to accept Mr. Andersen's estimate of cost for building the logging road along the new route, which is necessitated by reason of the highway construction, and will accept the difference between these two amounts as a correct statement of the additional cost which the company will incur by reason of now having to build its railroad on the new route; but the company is not willing to accept Mr. Andersen's conclusion that costs to operate over the new route will be less by \$7000 than over the old route, because the company believes that it will cost

more to operate over the new route than over the other. He pointed out that the company originally demanded damages in the sum of \$35,000 for this particular element or factor but is now willing to settle for \$17,500, representing the difference between the cost of construction of the new route over the old route, estimated at \$15,000, plus \$2,500. He gave as his thought that the company might be induced to accept \$15,000 as payment in full, and recommended settlement on that basis, if the company will agree to such figure. The Commission authorized the Attorney to attempt a settlement with the company for \$15,000 and ordered a report on the following day whether or not the company will accept the offer.

The Commission by unanimous vote adopted the following resolution authorizing the Engineer to negotiate for the purchase of certain parcels of real property that are needed for various highway improvements throughout the state, it being understood that the settlements for the I.O.N. Highway right of way are approved as to price only and that the options shall not be closed until the question of designating this road as a primary or secondary state highway has been disposed of:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Port Orford-Euchre Creek Section - Oregon Coast Highway</u>				
4347-Curry County Timber Co.		0.21	Lump Sum \$50.00	Parker
	Stock Pile			

Section, Hwy., and Owner	Purpose	Acres	Approximate amounts	Agent
<u>Fort Klamath-Crooked Creek Section - The Dalles-California Highway</u>				
4504-Grimes, Henry	Stock Pile	1.028	\$150 per a. plus fencing	McChesney
<u>City of McMinnville Section - West Side Pacific Highway</u>				
3801-Zulawinski, Magdalena	R/W	0.479	\$425 per a. plus \$457	Collins
<u>Bear Creek-Talent Section - Pacific Highway</u>				
4561-Pollard, Sam K.	R/W	0.41	\$200 per a. plus \$125	Gardiner
<u>Scottsburg-Drain Section - Umpqua Highway</u>				
4524-Weatherly, Fred, Estate	Stock Pile	1.22	\$50 per a. plus \$39	Benson
<u>Wilson Ranch-Scottsburg Section - Umpqua Highway</u>				
4525-Hoagland, W. G.	Stock Pile	1.50	\$200 per a. plus fencing	Benson
4526-Dodd, Carl W.	" "	1.09	\$200 per a. plus \$36	"
<u>Pendleton-Stanfield Section - Old Oregon Trail Highway</u>				
4576-Burrows, Edward S.	Filler Pit	2.10	\$50 per a. plus \$5	Wells
<u>Union County Section - Weston-Elgin Highway</u>				
3937-Maxwell, Oscar	R/W	2.42	\$400 Lump sum	"
<u>Ontario Grade Separation Section - Old Oregon Trail</u>				
4331-Schall, Joseph P. Estate	R/W	.08	\$250 per a. plus \$7.50	Wells
4332-Shimp, Walter	"	.16	\$300 per a. plus \$25 plus \$15.25	"
4655-Zink, Ora	"	.04	\$250 per a. plus \$4 and \$3.81	"
4656-Melson, C. B.	"	.11	\$250 per a. plus \$8 plus \$10.48	"
4657-Plant, A. G.	"	.04	\$250 per a. plus \$4 plus \$3.81	"
4335-Clevenger, Hava L.	"	.15	\$250 per a. plus \$112.50 plus \$14.30	"
4330-Stokes, Irene	"	1.28	\$500 per a. plus \$210 plus \$121.98	"
4638-Stokes, Irene H.	"	.28	\$250 per a. plus \$90 plus \$26.68	"
John Laur	"			
4659-Brakeman, James D.	"	.17	\$250 per a. plus \$4 plus \$16.60	"
4334-Stokes, Jean O.	"	.09	\$250 per a. plus \$12 plus \$8.58	"
<u>Oregon City Section - East Portland-Oregon City Highway</u>				
3043-Troeh, Earl E.	R/W	31,887 sq.ft.	16.1¢ per sq.ft. plus \$125	DeSouza
<u>Middleton-Newberg Section - Pacific Highway West</u>				
1542-St. Onge, Huger	R/W	0.243	\$600 per a. plus \$108	Collins

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Sheridan-McMinnville Section - McMinnville-Tillamook Highway</u>				
4324-Bergstrom, Minnie	R/W	3.52	\$150 per a. plus \$974	Collins
4318-Kirby, David J.	"	3.59	\$150 per a. plus \$1195.50 less \$84.50	"
<u>East Unit Jordan Creek Section - I.O.N. Highway</u>				
4511-Cowgill, T. R.	R/W	1.21	Gratis plus \$80.25	Wells
<u>Walluski River Section - Nehalem Highway</u>				
3849-Bartoldus, Wm. F. Estate	R/W	0.30	\$75 per a. plus \$76 plus low bid moving	Parker
<u>Seaside Section - Oregon Coast Highway</u>				
4183-Erickson, Agnes C. (Trustee)	R/W	0.055	Lump Sum \$10	Parker
<u>Bend-Crescent Section - The Dalles-California Highway</u>				
3987-Gilchrist & Co.	Stock Pile	0.92	10-yr Lease, Gratis	Gardiner
<u>Valley Falls-Cinder Butte Section - Fremont-Lakeview Highway</u>				
4661-Favell-Utley Realty Company	Stock Pile	1.13	\$50 Lump Sum	Chandler
<u>Bear Creek-Talent Section - Pacific Highway</u>				
4536-Birdsall, Henry D.	R/W	2.54	\$200 per a. plus \$737.80	Gardiner
4537-Birdsall, Hubert E.	"	1.86	\$200 per a. plus \$423.10	"
<u>East Unit Jordan Creek Section - I.O.N. Highway</u>				
4513-Stocking, Layton	R/W	5.95	\$100 per a. plus \$105.50	Wells
<u>West Unit Jordan Creek Section - I.O.N. Highway</u>				
4512-Parks Commercial Co., Inc.	R/W	25.58	\$20 per a. 11.45	
			\$40 per a., plus fencing \$635	Wells
<u>Camas Valley-Coos Junction Section - Coos Bay-Roseburg Highway</u>				
4607-Nichols, Ada D.	Stock Pile	1.00	\$10 per yr., 5-yr Lease plus fencing	Gardiner
<u>Sisters Section - Santiam Highway</u>				
4014-Hill, Louis W.	Stock Pile	0.308	\$50 Lump Sum, 10-yr Lease	Collins
<u>Mystic Creek-Powers Road - Coos Bay-Roseburg Highway</u>				
4480-Coquille River Land Co.	Stock Pile	0.74	5-yr Lease, Gratis	Gardiner
<u>Ontario Subway Section - Old Oregon Trail Highway</u>				
-Elwert, Leo	R/W	0.11	\$250 per a. plus \$4 fencing plus \$10.48	Wells
<u>Wolf Creek Section - Berger Ranch-Barnes Road Hwy.</u>				
3418-Johnson, John	R/W	3.03	\$100 per a. plus \$5	Bentley
<u>Foster Creek-Paisley Section - Fremont Highway</u>				
3910-Curran, Richard Jr.	R/W	6.1	\$20 per a. plus \$378 plus taxes \$8.46	DeSouza

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Burns-Buchanan Section - Central Oregon Highway</u>				
4473-Qard, Clara Malinda	R/W	0.69	Lump Sum \$10 plus fill	McCallister
<u>Shady Point-Kelly Corner Section - Pacific Highway</u>				
4611-Kohlhagen, W.	R/W	0.11	\$50 per a. plus fencing and anchor posts	Benson

The Commission had under discussion the matter of designating the I.O.N. Highway as a primary or secondary state highway in order to legalize the expenditure of state funds in conjunction with federal public lands funds for the construction of the same. Assistant Office Engineer Oscar Cutler was instructed by the State Highway Engineer to contact the Malheur County Court relative to the designation of this road as a secondary state highway and the removal of the Homedale-Jordan Valley Section of the Jordan Valley Secondary Highway No. 450 from the state highway system. The Commission indicated that it would designate this road as a primary state highway in the event the Malheur County Court will not join in designating it as a secondary state highway. Reconsideration of the matter is to be given by the Commission at its meeting in Astoria, which was tentatively set for May 17, 1937.

The authority of the Commission to spend state money in conjunction with federal moneys for the improvement of county roads that may be placed on the federal aid secondary system was then discussed. The Attorney was instructed to render a written opinion on this subject, same to bear the approval of the Attorney General.

The State Highway Commission had under consideration the advancement to Deschutes County of a portion of its share of the state motor vehicle fund so as to enable the county to pay its road bonded-indebtedness due on May 1, amounting to \$5,000, and interest thereon amounting to \$2,092.50. It appears that the county has only \$2,708.81 on hand in its road-bond sinking fund to meet this obligation, thus leaving a balance of \$4,383.69 which it must secure from some other source; and, due to the fact that the payment of road indebtedness is the first obligation for the moneys that the counties receive from the state, the county is now asking for a portion of its share of such funds so as to avoid defaulting in the payment of its road indebtedness. The Attorney advised that the Commission has authority under the provisions of Section 44-138A, Oregon Code, 1935 Supplement, to make such advance payment to the county, if it so desires. He presented a resolution from the County Court requesting an advance payment of funds and a certificate from the Deschutes County Treasurer verifying the amount of the road bonds that are due and payable by Deschutes County on May 1. After due consideration the Commission by unanimous vote authorized an advance of \$4,383.69 to Deschutes County on or before April 30, 1937, and thereupon signed a certificate directed to the Secretary of State as required by law, requesting him to make such payment to the county and to charge the same against the county's share of the state motor vehicle or highway fund.

The Commission adjourned at 11:00 o'clock p. m. to reconvene at 9:00 o'clock on the following morning in the Auditorium of the Public Service Building.

APR 26 1937

Portland, Oregon, April 27, 1937.

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman  
 E. B. Aldrich, Commissioner  
 F. L. Tou Velle, Commissioner  
 R. H. Baldock, State Highway Engineer  
 J. M. Devers, Attorney  
 H. B. Glaisyer, Secretary

Bids as follows for highway construction projects were opened and read, in conformance with previously published notice:

UMPQUA HIGHWAY  
 WILSON RANCH-PARADISE CREEK SECTION  
 RESURFACING, CRUSHED GRAVEL IN STOCK PILE

Roy L. Houck	\$45,552.00
Edlefsen-Weygandt Company	50,589.00
Umpqua River Navigation Company	52,433.00
O. C. Yocom	53,970.00
Parker-Schram Company	56,933.00
Saxton & Looney and J. S. Risley	57,170.00
R. O. Dail and Warren Bros., Inc.	66,990.00
Homer G. Johnson	72,695.00

CENTRAL OREGON HIGHWAY  
 BURNS-BUCHANAN SECTION  
 ROADBED TOPPING, ROADMIX OILED SURFACING

Warren Northwest, Inc.	\$126,808.00
Morrison-Knudsen Company	128,711.00
J. C. Compton	128,749.00
Harold Blake	129,293.00
Babler Bros.	130,086.00
Diesel Oil Sales Company	135,170.00
Clifford A. Dunn	135,860.00
R. O. Dail and Warren Bros., Inc.	139,695.00
Edwin C. Gerber	140,148.00
J.F. Forbes	142,107.00
E.C. Hall	142,454.00
Newport Construction Company and Kern & Kibbe	147,990.20
McNutt Bros.	168,798.00
F. J. Kernan	174,245.00

(Continued on next page)

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LAKEVIEW-BURNS AND FREMONT HIGHWAYS  
VALLEY FALLS-CINDER BUTTE SECTION  
OIL MAT SURFACE TREATMENT

Babler Bros.	\$74,313.00
Warren Northwest, Inc.	74,524.75
J. C. Compton	78,203.40
Clifford A. Dunn	80,213.00
Washington Asphalt Company	81,108.00
Harold Blake	83,071.50
Diesel Oil Sales Company	84,048.00
Newport Construction Company and Kern & Kibbe	87,451.10
J. F. Forbes	91,548.00
E. C. Hall	93,609.50
F. J. Kernan	94,449.90
R. O. Dail & Warren Bros., Inc.	96,169.50
McNutt Bros.	106,319.00
Edwin C. Gerber	112,324.90

KLAMATH FALLS - LAKEVIEW HIGHWAY  
BEATTY-BLY SECTION  
CRUSHED ROCK IN STOCK PILE

R. O. Dail & Warren Bros., Inc.	\$12,540.00*
R. I. Stuart & Sons	12,980.00
A. S. Wallace	16,530.00

\* Bidder will not take this project alone

THE DALLES-CALIFORNIA HIGHWAY  
GREEN SPRINGS AND KLAMATH FALLS-LAKEVIEW HIGHWAYS  
KLAMATH FALLS ROCK PRODUCTION PROJECT  
CRUSHED ROCK IN STOCK PILE

R. I. Stuart & Sons	\$38,250.00
R. O. Dail & Warren Bros., Inc.	44,220.00
A. S. Wallace	54,270.00

SIUSLAW HIGHWAY  
RAINROCK-GREENLEAF CREEK SECTION  
OIL MAT SURFACE TREATMENT

	Using Oil	Using Tar
Babler Bros.	\$ - - - -	\$29,639.00
J. C. Compton	29,941.00	29,823.00
R. O. Dail & Warren Bros., Inc.	32,591.00	32,414.20
Harold Blake	- - - -	32,796.00
F. J. Kernan	33,072.50	32,804.50
Warren Northwest, Inc.	- - - -	33,300.00
Edwin C. Gerber	34,611.00	34,638.00

OREGON COAST HIGHWAY  
SHORT SAND BEACH CREEK SECTION  
GRADING

Roy L. Houck	\$ 94,963.00
Leonard & Slate	101,720.00
E. C. Hall	104,640.00
Kern & Kibbe	105,325.00
Joplin & Eldon	108,180.00
J. A. Lyons	109,100.00
Jacobsen-Jensen Company	110,754.50
Berke Bros., Inc.	119,297.50
Colonial Construction Company	123,444.00
Carl Nyberg	125,076.00
J. C. Papin	129,193.00
E. L. Gates	132,965.50
A. C. Greenwood Company, Inc.	137,625.00
Consolidated Highway Co., Inc., Portland	139,895.50
Geo. F. Christensen, Stevenson, Wash.	181,090.00

PACIFIC HIGHWAY WEST  
MIDDLETON - VOTAW SECTION  
GRADING AND PORTLAND CEMENT CONCRETE PAVEMENT

Mountain States Construction Company	\$ 53,517.00
Oregon Contracting Company	55,890.00
Kern & Kibbe	59,092.00
Harold Blake	59,117.00
Edlefsen-Weygandt Company	61,224.00
Saxon & Looney and J. S. Risley	62,737.00

Chairman Cabell announced that the award of contracts would be made at 3:00 o'clock p. m. in the same room.

There being no delegations to be heard at this time, the Commission disposed of routine matters as follows:

The Commission discussed a letter from the American Flight-Strips Association, New York City, suggesting that the Commission acquire, where necessary, sufficient land adjacent to the main highways, upon which to establish highway flight-strips at intervals of 50 miles, each of said strips to be a flat area from 200 to 800 feet in width and from 1800 to 5000 feet in length, for use as landing fields for airplanes. The Commission ordered the communication filed without action, for further consideration.

The Commission had under consideration the abandonment of a short section of the old Nehalem Secondary Highway extending south from the town of Treharne, in Columbia County, which section is no longer of value for state highway purposes in view of the fact that the highway has been reconstructed on new alignment. The Engineer recommended that the old road be turned over to Columbia County for disposal as it sees fit. The Commission approved the

recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Treharne Section of the Nehalem Highway in Columbia County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section or part is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said state highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Treharne Section of the Nehalem Highway in Columbia County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Columbia County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

A strip of land sixty feet in width lying in the west one-half of Section 8, and in Section 7, and in the north one-half of Section 18, Township 4 North, Range 4 West, W.M., Columbia County, Oregon; and being more particularly described as follows:

All that portion of the right of way of the Nehalem Highway which lies west of the limits of the right of way for the 1936 constructed Treharne Section of said highway from Engineer's center line Station 99+00 to Station 144+50.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of R. H. Baldock, State Highway Engineer, H. G. Smith, Construction Engineer, and F. D. Eason, Division Engineer, and is dated the 30th day of March, 1937, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red. \*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Columbia County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Columbia County and beyond any responsibility or supervision by the State Highway Commission.

The Commission considered the claim of Mrs. Pearl Shelton Koble for damages which she alleges she incurred by reason of the construction of the Pacific Highway across her property south of Ashland. Mrs. Koble claims damages in the sum of \$250, and, in addition thereto, that certain things be done to her property, including the grading of a site for a garage, in accordance with an agreement entered into with her at the time that she gave an option for the right of way, which things it now appears are unusual and impracticable and would be very costly, although Mrs. Koble is demanding that the state fulfill this part of the agreement. After discussion the Attorney was instructed to resume negotiations with Mrs. Koble and endeavor to secure relief from the provisions of the option, if possible. A report on this subject is to be rendered to the Commission at its next meeting.

The Engineer reported the award of the following contracts which were previously referred to him with authority to award to the low bidder in each instance when certain conditions have been satisfied:

\* Map filed in Right of Way Abandonment and Retention File - No. 41

Grading and paving the Forest Grove-Hillsboro Section of the Tualatin Valley Highway, in Washington County. Bids taken March 26, 1937. Contract awarded April 20, 1937, to Warren Northwest, Inc., Portland, the low bidder, at their bid price of \$102,941.00.

Grading, paving, and construction of a trestle bridge on the Bellevue-Pringle Corner Section of the McMinnville-Tillamook Highway, in Yamhill County. Bids taken March 25, 1937. Contract awarded April 20, 1937, to Harold Blake, Portland, the low bidder, at his bid price of \$105,927.50.

Willamina Rock Production Project on the Salmon River, McMinnville-Tillamook and Dallas-Coast Highways, in Polk and Yamhill Counties. Bids taken March 26, 1937. Contract awarded April 20, 1937, to Harold Blake, Portland, the low bidder, at his bid price of \$21,900.00.

Grading and paving on the Turkey Hill-Chenoweth Park Section of the Pacific Highway, in Douglas County. Bids taken March 25, 1937. Contract awarded April 14, 1937, to Jacobsen-Jensen Company, Portland, the low bidders, at their bid price of \$50,540.00.

The Commission by unanimous vote approved the award of these contracts as reported by the Engineer.

The Engineer requested instructions in regard to the rental of state-owned residences located on state highway property adjacent to the maintenance headquarters in Pendleton. He pointed out that when these buildings were moved onto the state property, it was intended that they should be rented to state employees only and that these employees would pay their rent each month by deductions from the pay rolls. However, none of the employees have as yet evidenced a desire to rent the large eight-room house, and the question now arises whether or not this house, or any of them, should be rented to responsible people who are not state employees. It was the thought of the Commission that it might be satisfactory to rent these houses to responsible parties who are not in the state's employ but that they should be placed in charge of someone in Pendleton who is connected with the State Highway Department who would be given authority to rent them either direct or through an agent. The Commission referred this matter to the Engineer to handle as he deems best.

The Commission by unanimous vote confirmed the appointment of Chairman Henry F. Cabell as its representative on the Interim Committee that was authorized by the 1937 Legislature under House Joint Resolution No. 18, which provides for the appointment of such committee to make a traffic survey and recommend a fair allocation of road users' taxes to various political subdivisions. It was explained that this committee is to consist of five members ---one from each house of the Legislature, one from the Association of County Judges and Commissioners, one from the League of Oregon Cities, and one from the State Highway Commission.

Commissioner Aldrich brought up for discussion the matter of construction of a sidewalk on what is known as Riverside Bridge, located a short distance north of Pendleton on the Oregon-Washington Highway. He said that this bridge is narrow and is used quite extensively by pedestrians, whose lives are endangered each time they walk across the bridge, because of the large volume of highway traffic. He said that the same condition prevails along the highway from the bridge to Pendleton, the highway being narrow, with insufficient room for people to walk with safety. The Commission took the attitude that it did not care to embark on a program of sidewalk construction on bridges or highways at this time, because it would soon run into a large sum of money, which the Commission cannot spare for such purpose. However, the Commission instructed the Engineer to investigate the conditions mentioned by Mr. Aldrich and render a report thereon so that it will be available for consideration when there is money on hand to finance projects of this kind.

In this connection the Secretary presented letters from the Roseburg Chamber of Commerce and the Roseburg Rod and Gun Club, urging the construction of a sidewalk along the west side of the North Umpqua River bridge at Winchester, on the Pacific Highway, a short distance north of Roseburg, particularly for the benefit of people who desire to fish for salmon from this bridge. They pointed out that the present bridge is narrow and if provision is not made to safeguard the pedestrians who use it, it will be a matter of only a short time until someone is killed or badly injured there. The Engineer advised that to construct such sidewalk would cost about \$3,545. He questioned the advisability of making such expenditure at this time because the bridge will have to be replaced in the not far distant future. The Commission concurred in the viewpoint of the Engineer and thereupon denied the request. However, the Commission instructed the Engineer to erect appropriate signs on the bridge structure prohibiting anyone from loitering on the bridge, it being the thought of the Commission that such signs would stop people from fishing from the bridge and would decrease, to a large extent, the chances of accidents occurring.

The Engineer reported that Governor Martin has appointed Mr. S. H. Boardman, State Parks Superintendent, as a delegate from Oregon to attend the National Recreational Congress which is to be held at Atlantic City, New Jersey, from May 17 to 21, 1937. He inquired whether or not it is the pleasure of the Commission for Mr. Boardman to accept this appointment. He gave as his thought that the State of Oregon would receive much benefit from Mr. Boardman's attendance at this meeting and recommended that he be permitted to attend at state expense. The Commission approved the recommendation by unanimous vote.

The Commission by unanimous vote approved the Engineer's request for authority to purchase six engineering levels at a total cost of \$960.

The Commission had under discussion the matter of use of state highway drainage ditches as outlets for septic tanks. The Engineer advised that the practice of private property owners draining their septic tanks into the highway drainage ditches is increasing and, in his estimation, this

should not be allowed for reasons that are obvious. He asked the Commission to issue a definite order with respect to the matter and to give him instructions relative to the carrying out of such order. The Attorney advised that in 1931 there was placed on the statute books a law which was intended to cover this particular matter, which law was amended in 1935, and in its present form is broad enough to cover and control the matter of the draining of septic tanks into highway ditches. The Commission concurred in the viewpoint of the Engineer and, after discussion, instructed the Attorney to prepare a form letter calling attention to the fact that the use of highway ditches as septic tank and cesspool outlets is illegal, unsanitary, and is otherwise destructive of public welfare, which said letter shall be delivered to the general public through the section foremen, as occasion demands.

The Engineer reported an inquiry from Mr. Charles P. Pray, Superintendent of the Department of State Police, as to whether or not it would be possible for the State Highway Department to furnish office space in The Dalles maintenance office building for his officers who are stationed at this place. He said that there is no available space in the present building, and, if the police officers are to maintain offices here, it will be necessary to construct an extension to the present building, which would cost about \$1500. He recommended the expenditure in view of the fact that The Dalles is an important state police headquarters and the police would then be able to take full advantage of the radio facilities that are installed in the Highway Department's maintenance building. The Commission approved the recommendation by unanimous vote.

The Engineer reported that on April 14 he ordered the removal of the reduced load limit signs which have been maintained on the Nye Junction-Ukiah Section of the Pendleton-John Day Highway for the past several weeks, inspection of the road having revealed that it was sufficiently dry and stabilized to withstand loads weighing up to the legal limits. He asked the Commission to confirm the action. The Commission approved the lifting of the reduced load limit on this section and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the tenth day of March, 1937, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway:

PENDLETON-JOHN DAY HIGHWAY from its junction with the Oregon-Washington Highway at Nye to Ukiah in Umatilla County and

WHEREAS, subsequent to the passage of said resolution conditions have changed so that it is no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limits set out in said resolution on the said state highways;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

PENDLETON-JOHN DAY HIGHWAY from its junction with the Oregon-Washington Highway at Nye to Ukiah in Umatilla County

be and the same is hereby rescinded and cancelled as of this date, and the maximum load limit permissible on the said sections of the said highways hereafter shall be the maximum load limit provided by law; and it is further ordered that a certified copy of this resolution be furnished to the county clerk of each county in which said highways are located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Commission discussed the matter of taking over the maintenance of city streets in Portland that are designated state highway routes. A definite decision in regard thereto was deferred until the next meeting.

The Engineer brought up for discussion a letter from the County Court of Klamath County in regard to a certain irrigation ditch along the Merrill-Hatfield County Road. He explained that the county acquired the right of way for this project and the state in its contract built the irrigation ditch on private property paralleling the property and also constructed a fence between the ditch and the traveled roadway, but it now appears that the property owners want the fences set back so that the irrigation ditch will be within the highway right of way, which is contrary to the established practice of the State Highway Department. He recommended adherence to the present practice because, in his estimation, it would be a mistake to allow a private facility to occupy a location on the highway right of way. The Commission approved the recommendation by unanimous vote and instructed the Engineer to so inform the County Court.

The Secretary presented a letter from the County Engineer of Klamath County stating that the Klamath County Court is of the understanding that the State Highway Commission would designate as a secondary state highway the Merrill-Hatfield road after it had been constructed, but the county has received no information that such designation has been made and now requests that it be placed on the secondary system. The Engineer pointed out that when this road was constructed it was understood that it would eventually be the terminating section of The Dalles-California Highway and would be a link of the interstate road passing through California and Nevada. He recommended, therefore, that the road be designated as a secondary highway if the Klamath County Court will formally request such designation by resolution. The Commission approved the recommendation and instructed the Secretary to so inform the Klamath County Court.

The Commission authorized the Engineer to attend at state expense the Road Rally and banquet which is to be held in Clarkston, Washington, on May 15, 1937, in honor of pioneers and legislators who were interested in the promotion and realization of the Blue Mountain Tri-State Highway connecting Asotin County, Washington, and Wallowa County, Oregon. He is to delegate someone to take his place in the event he is unable to attend. Commissioner Aldrich was also authorized to attend this meeting at state expense as a representative of Governor Charles H. Martin of Oregon.

The Commission considered, and ordered filed, a letter from Roy L. Wemman, District Ranger, Mt. Hood National Forest, complimenting the State Highway Department on the general beautification work that it has conducted along the Upper Columbia River Highway.

The matter of improving the John Day-Burns Highway through the town of Canyon City came up for discussion. The Engineer pointed out that this town was almost completely wiped out by a recent fire and, if the Commission has it in mind to improve the highway through the burned district, it might be advisable to secure the right of way for the same at this time, before the town is rebuilt. The Commission concurred and ordered that an investigation be made at once to determine whether or not additional right of way will be required.

Reconsideration was given by the Commission to the new rules and regulations covering federal allotments for P.W.A. projects, which limit the amount of grant moneys to the amount of wages paid to the workers on relief rolls plus 15 per cent of the amount so earned, provided that the total amount of the grant shall not exceed 45 per cent of the cost of the project. The Commission decided, in view of the new rules, that no advantage would be gained by securing P.W.A. funds to assist in financing the projects that are included in its proposed P.W.A. program, except where such projects are located in close proximity to population centers such as the proposed building construction projects in Portland and Klamath Falls, where it was thought the restrictions to relief labor will neither cause any material additional expense nor make this form of cooperation with the Federal Government less attractive. Accordingly, the Engineer was instructed to limit, for the time being, construction work under this proposed program to the maintenance build-ings at Portland and Klamath Falls.

The Weston-Elgin project which is also included in this proposed P.W.A. program was given special attention. It was the Commission's decision that, notwithstanding the fact that this is a meritorious project and will provide for the completion of this highway throughout its entire length, it should not be included in the P.W.A. program under the present set-up because of the scarcity of relief labor in that vicinity and the possibility that the job would cost considerably more than if it were undertaken under some other program. The Engineer pointed out that in any event the grading work is about all that can be done this year, so the delays caused by leaving this job out of the P.W.A. program would not be of any great consequence. Mr. W. H. Lynch, District Engineer, Bureau of Public Roads, was present and pointed

out that the Commission definitely committed funds for the project before there was any thought of securing P.W.A. aid and, in his estimation, the job should proceed, inasmuch as the Federal Government will have completed its forest highway work this summer and the only obstacle to opening up this 50-mile highway throughout its entire length is the section now under discussion. After further discussion the Commission decided to award a contract this fall for the grading project if there are funds available to finance it, as indications are there will be, and to award an additional contract next spring for surfacing and oiling.

The Engineer reported that he has received an appointment as a member of the special committee on administrative design policies which has been established by the American Association of State Highway Officials, and inquired whether or not he should accept the appointment. He explained that the committee would probably hold meetings two or three times a year at different points throughout the United States, but it was quite likely that the Federal Government would pay his expenses in attending them. The Commission by unanimous vote authorized the Engineer to accept this appointment, subject to the condition that he will be taken away from the state only two or three times a year and that the expense of such trips will be paid by the Federal Government.

The Secretary presented a petition signed by 63 residents of Linn and Benton Counties who are desirous of having the Albany-Corvallis Highway reconstructed on a higher elevation just west of the Willamette River Bridge at Albany, so that this section will not be inundated during periods of high water. The Engineer advised that the present highway was constructed in 1926 and has been giving very good satisfaction except during short periods, when it is covered by flood waters from the Willamette River. He declared that there are numerous places throughout the state where similar conditions exist and where traffic is affected much more than it is on the Albany-Corvallis Highway, and, in his estimation, these places should be given prior consideration. He recommended that the request be denied for the time being. The Commission approved the recommendation and ordered that the petitioners be so informed.

The Commission considered and ordered filed a communication from the Board of Directors of School District No. 5, Union County, urging early completion of the Medical Springs-Union Secondary State Highway.

The Secretary presented a letter from the Southern Pacific Company to County Judge J. J. Gaither, Lincoln County, in which the company advised that it is abandoning a section of its railroad between Toledo and Yaquina in Lincoln County and stating its willingness to sell the old railroad grade to the county for county road purposes if the county wants it. He explained that this letter was handed him by County Commissioner Jay W. Dunn, who said that the county does not have funds with which to finance the proposition, so referred it to the State Highway Commission, thinking it might be interested from the standpoint of providing a new highway between Toledo and Newport to replace the existing highway, which is narrow and contains numerous sharp curves. The Engineer advised that, from an engineering standpoint, the old

railroad grade would be of no value as a state highway route because it is considerably longer than the present route between Toledo and Newport. It was his thought that a much shorter route between these points can be found when the Commission is ready to improve this section on permanent basis. The Commission concurred in the Engineer's views and instructed the Secretary to inform the County Court that it is not interested in securing this old railroad grade because it does not fit in with the plan of the Commission for the improvement of the Toledo-Newport Section; furthermore, the Commission is of the opinion that the acquisition of the railroad grade is strictly a county proposition.

The Commission considered and ordered filed without action a letter from the North Bend Chamber of Commerce, urging the construction of a nonskid wearing surface on the Sherman Avenue Section of the Oregon Coast Highway in the city of North Bend.

The Secretary presented a letter from Mr. George G. Updegraff, President, Moro Commercial Club, Moro, Oregon, urging the Commission to consider, in its deliberations for the establishment of free ferry service across the mouth of the Columbia River at Astoria, the establishment of similar free ferry service across the Columbia River to connect U. S. Highway #97 in the states of Washington and Oregon. He stated that in acknowledging receipt of this letter he told Mr. Updegraff that the Commission is limiting its discussions of this matter to the establishment of free ferry service at Astoria. The Commission approved the reply.

A letter was presented from the Glencullen Community Center, Glencullen, Oregon, advising that the Postoffice Department has changed the name of Fairview postoffice to Glencullen, and requesting the State Highway Commission to change its road signs in this vicinity to conform therewith. The Commission indicated a reluctance to comply with this request in view of past experience, because it did not wish to become involved in any controversy that might arise on account of divided community interests. However, the Engineer was instructed to investigate the matter and render a report thereon.

A letter was presented from W. H. Lynch, District Engineer, Bureau of Public Roads, requesting two copies each of perspective drawings made by the Highway Department's Architectural Draftsman, Mr. F. G. Hutchinson, for submission to the Washington, D. C., office of the Bureau of Public Roads, as an outstanding example of highway improvement planning and as a suggestion that similar studies should be made by other highway organizations. The Commission thanked Mr. Lynch personally for the letter and instructed the Engineer to furnish him with the drawings that he wants.

The Engineer presented a plan for the revision of the Mt. Hood Highway, in Hood River County, to eliminate the sharp curvature in the present highway near what is known as Fike's Corner, and in connection therewith exhibited a map showing the proposed layout, said map bearing file number 5B-11-8. He explained that the proposed route coincides with the existing route for about one mile north from Fike's Corner, but follows an entirely new location

to the east of the present highway south from Fike's Corner, crossing over the tracks of the Mt. Hood railroad on a five per cent grade and continuing in a southerly and southwesterly direction to a temporary connection with the present highway near a point known as Diamond Springs. He recommended the adoption of this route as the permanent location of the highway between these points.

The Engineer also presented a plan for the revision of the Oregon Coast Highway through the Gleneden Beach district, in Lincoln County, and exhibited, in connection therewith, a map showing the proposed new alignment, said map bearing file number 5B-8-1. He explained that the new route misses the Gleneden Beach townsite by about one-half mile, but, in his estimation, is the best alignment that can be obtained through the district from an engineering standpoint, and was selected only after careful study of several alternate routes. He recommended it for adoption by the Commission, notwithstanding the fact that it by-passes Gleneden Beach.

After due consideration and careful study of these projects, the Commission decided in favor of the routes recommended by the Engineer. The following resolution in regard thereto was adopted by the Commission by unanimous vote, upon motion of Commissioner Tou Velle, which was duly seconded by Commissioner Aldrich:

WHEREAS, the State Highway Commission heretofore has authorized and instructed the State Highway Engineer to make surveys on sections or portions of the highways of the State of Oregon as follows, to wit:

1. Mt. Hood Highway, in Hood River County, for elimination of excessive curvature between Fike's Corner and Diamond Springs, as shown on map bearing file number 5B-11-8;
2. Oregon Coast Highway, in Lincoln County, for the permanent realignment of this highway through the Gleneden Beach district, as disclosed on map bearing file number 5B-8-1;

AND WHEREAS, pursuant to said authorization, the State Highway Engineer has made and completed the said surveys and has filed the maps and plans of the said surveys in the files of the State Highway Commission in Salem, Oregon;

AND WHEREAS, the maps and plans of the said surveys have been examined by the State Highway Commission and have been found suitable in all respects for approval and adoption by the State Highway Commission;

NOW, THEREFORE, BE IT RESOLVED, that the surveys herein-after designated and described, together with their identifying location map file numbers, as shown in the map filing records of the

Highway Commission in the Salem office of this Commission, be and they are hereby adopted and approved as the location surveys of the various portions or sections of the highways involved:

1. Mt. Hood Highway, in Hood River County, for elimination of excessive curvature between Fike's Corner and Diamond Springs, as shown on map bearing file number 5B-11-8;
2. Oregon Coast Highway, in Lincoln County, for the permanent realignment of this highway through the Gleneden Beach district, as disclosed on map bearing file number 5B-8-1.

BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is authorized to make such minor changes in the said location as may improve the standards of alignment and grades not inconsistent with the general location of the section of highway involved.

The Engineer was instructed to furnish full information in regard to the revision of the Mt. Hood Highway-Fike's Corner route to the County Court of Hood River County, for its use in planning a county road connection to the Mt. Hood Highway near this place.

The Secretary was instructed to inform Mrs. Florence Mimnick, Gleneden, Oregon, and Mr. J. S. Middleton, attorney, Portland, representing one W. F. Cary, also of Gleneden, Oregon, of the action taken by the Commission in regard to the relocating of the Oregon Coast Highway at Gleneden Beach and to furnish each of these persons with a map showing the new location. He was further instructed to tell them that, while the Commission has adopted the location shown on the map as the permanent location for this highway, no commitment or promises of any kind were made as to when construction of this section on the new alignment will take place.

The Commission had under consideration a request of the Oregon Contracting Company and Theodore Arenz for an extension of time of eleven days, from November 30 to December 11, 1936, within which to complete their contract, No. 1826, for grading and paving the Rex Hill Section of the West Side Pacific Highway, in Washington and Yamhill Counties. They gave the following reasons for their failure to complete the job within the specified time limit: (1) necessity to construct certain heavy embankments in half-widths rather than in full-widths, which is the usual practice, as ordered by the Engineer; (2) special oiling of a detour between Stations 650 and 662 as a temporary accommodation for traffic during the period of construction operations. The Engineer advised that the reasons given by the contractor for failure to complete the job within the specified time limit are not correct; however, in view of the fact that the over-run of time is only eleven days and for the further reason that traffic was not inconvenienced and the state has not

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incurred any extra expense for engineering supervision, he recommended that the extension requested be granted without penalty. He submitted a letter from the Bureau of Public Roads concurring in such recommendation. The Commission approved the recommendation by unanimous vote.

The Engineer reported that the following contracts for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance:

Contract No. 1826, with Theodore Arenz and Oregon Contracting Company, for grading and paving the Rex Hill Section of the West Side Pacific Highway, in Washington and Yamhill Counties. Completed December 11, 1936.

Contract No. 1911, with James Crick, for grading the West Unit, Stanfield-Pendleton Hill Section of the Old Oregon Trail, in Umatilla County. Completed April 25, 1937.

Contract No. 1935, with Chas. H. Leonard, for furnishing crushed rock on the Mt. Vernon-Prairie City and the John Day-Vance Creek Sections of the John Day and John Day-Burns Highways, in Grant County. Completed April 8, 1937.

The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts, and that said jobs are now ready for acceptance:

Contract No. 1826, with Theodore Arenz and Oregon Contracting Company, for grading and paving the Rex Hill Section of the West Side Pacific Highway, in Washington and Yamhill Counties. Completed December 11, 1936.

Contract No. 1911, with James Crick, for grading the West Unit, Stanfield-Pendleton Hill Section of the Old Oregon Trail, in Umatilla County. Completed April 25, 1937.

Contract No. 1935, with Chas. H. Leonard, for furnishing crushed rock on the Mt. Vernon-Prairie City and the John Day-Vance Creek Sections of the John Day and John Day-Burns Highways, in Grant County. Completed April 8, 1937.

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THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Assistant Attorney brought up for discussion the matter of acquisition of a roadway over which to haul surfacing materials for use in connection with the resurfacing of the Wilson Ranch-Paradise Creek Section of the Umpqua Highway, in Douglas County, for which bids were received by the Commission today. He said that the quarry site that the Commission proposes to use in connection with this job is separated from the highway by property owned by a Mr. Kenneth Murphy, and in order to reach the quarry it is necessary to obtain roadway privileges across Mr. Murphy's land. He further stated that when the matter of this roadway was first mentioned to Mr. Murphy he indicated that he would not demand an exorbitant amount for this privilege, but evidently has changed his mind because he is now demanding the sum of \$1000 for the same. He gave as his thought that Mr. Murphy's demand is unreasonable, but the Commission will probably have to pay it because the Commission does not have the authority to condemn the property and apparently there is no other suitable site available. In the discussion of this matter the Engineer pointed out that the low bid received today for this project is very satisfactory. He recommended, therefore, the payment of \$1000 to Mr. Murphy for the right of way if he cannot be induced to reduce his price, so that construction can proceed at the earliest possible time. The Commission approved the recommendation by unanimous vote.

The Commission by unanimous vote adopted the following resolution authorizing the Attorney to institute condemnation proceedings to acquire a quarry site on property owned by the estate of William J. Mink, deceased, which quarry site is to be used in connection with the construction of the Ontario subway section of the Old Oregon Trail, in Malheur County:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve and maintain a system of state highways in the State of Oregon and to acquire by donation, purchase, agreement, condemnation, or by the power of eminent domain title to land upon or under which there is gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits or other mineral deposits or formations suitable for road construction, improvement, betterment or pavement, and to declare the necessity and need for the acquisition thereof and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the

State of Oregon and there is need that the State acquire for the purposes of road construction, improvement, betterment, repair and maintenance, and for the purpose of the manufacture of road materials on the following section or sections of the state highway system of the State of Oregon, to wit:

#### Ontario Subway Section of the Old Oregon Trail

land and property owned by or in the possession of the following parties and/or persons, to wit:

#### Estate of William J. Mink, deceased

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties contain gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits or other mineral deposits or formations suitable for road construction, improvement, betterment or pavement, and that the said property or properties is or are necessary and needful and the acquisition thereof will be of advantage to the State of Oregon for the said purposes in order to make it possible for the State Highway Commission to construct, improve, maintain, and repair the said portion or portions of the said state highway system in accordance with the standards adopted by this commission.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for said purposes and to prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties, or which said descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same shall be lands necessary for the purposes stated herein.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same, and the damage, if there be any, and in the event that no satisfactory

agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission also by unanimous vote authorized the Attorney to institute condemnation proceedings to acquire right of way needed for various highway projects throughout the state:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following sections of the state highway system of the State of Oregon, to wit:

Walluski River Section of the Nehalem Secondary Highway  
Elgin Section of the Weston-Elgin Highway  
Middleton-Newberg Section of the Pacific Highway West  
East Pendleton Grade Separation Section of the Old Oregon Trail  
Bear Creek-Talent Section of the Pacific Highway  
Agency Plains-Madras Section of the Warm Springs Highway  
East Unit, Jordan Creek Section of the I.O.N. Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Walluski River Section of the Nehalem Secondary Highway  
Estate of T. S. Cornelius, deceased  
Elgin Section of the Weston-Elgin Highway  
Clyde E. Leonard

(Continued on next page)

Middleton-Newberg Section of the Pacific Highway West  
Sarah J. Olds  
J.A. Miller and Elizabeth Miller, husband and wife  
East Pendleton Grade Separation Section of the Old Oregon Trail  
Reta Vey  
Bear Creek-Talent Section of the Pacific Highway  
W. A. Stratton  
Agency Plains-Madras Section of the Warm Springs Highway  
Estate of J. C. Sothman, deceased  
East Unit, Jordan Creek Section of the I.O.N. Highway  
James P. Anderson  
Mortgage Company for America  
Everett L. Miller  
S. H. Fredricks

as their respective interests may appear, and this Commission does hereby declare further that the said properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct and maintain said portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of deeds or other instruments necessary to complete the acquisition of the said properties or which descriptions may be used in the preparation of complaints in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there

be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission adjourned at 12:00 o'clock noon to reconvene at 1:45 o'clock p. m. in the same room.

The State Highway Commission reconvened at 1:45 o'clock p. m. in the Auditorium of the Public Service Building, with all members, the State Highway Engineer, the Attorney and the Secretary present.

A delegation from Chiloquin, Klamath County, composed of Robert S. Allen, President of the City Council; O. M. Brown, Engineer, U. S. Indian Service; F. G. Markwardt, Councilman; Henry Y. Wolff; and Arthur W. Priaulx, City Recorder, came before the Commission in regard to the rerouting of The Dalles-California Highway north from Modoc Point to a connection with the existing highway north of Sun Mountain, in Klamath County. They said that they have studied the Engineer's report of this subject, which was recently sent to them, and they have no objections to the route that has been recommended by the Engineer between Modoc Point and a place known as Lobert Crossing, but they do object strenuously to the proposed routing of the highway north of Lobert because it misses the town of Chiloquin by about three-fourths of a mile. They said that they would rather that the Commission leave the highway in its present location, which is about five miles west of Chiloquin, than move it to the proposed location, because they are of the firm belief that if the highway is located on the proposed line it will "kill" their town.

The State Highway Engineer advised that he recommended the adoption of the route, which is described in his report and is called Route No. 1, from an engineering standpoint, because it is less costly to construct than the other routes and is the shortest of all of the alternate routes surveyed. He further stated that Route No. 1 lends itself better to stage construction and affords a much better connection with the Crater Lake Highway at Klamath Agency than can be obtained by either of the other routes.

Mr. Brown declared that the adoption of Route No. 1 will isolate the town of Chiloquin; and, while this may be a small town, people have invested more than \$1,000,000 therein, which should be protected; furthermore, the town is the center of a large timber district which contains timber valued in excess of \$12,000,000. He alleged that, if the highway is constructed even one-half mile away from Chiloquin, the town will move to the new highway location, which would prove disastrous to the town's business. He urged the

Commission to build the permanent highway through the town of Chiloquin.

Mr. Priaulx alleged that there is only \$186,000 difference between the cost of Route No. 1, recommended by the Engineer, and Route No. 2 through the town of Chiloquin. He suggested that this difference could be eliminated by the adoption of Route No. 2 up to a point about three miles north of Chiloquin and then connecting same with Route No. 1 by a diagonal road, which, he said, would add only about 1.2 miles to the length of the entire revision, and Crater Lake traffic could use the existing road between Chiloquin and Klamath Agency. He pointed out that such location would eliminate the necessity for a railroad grade separation structure at Lobert. He added that it is 145 miles between Bend and Klamath Falls and declared that Chiloquin is the only good stopping point between these cities, which feature, in his estimation, should be given due consideration by the Commission because tourists should be provided with accommodations in the nature of hotels and garages such as are available in Chiloquin, after traveling long distances. He declared that the tourist business is a tremendous advantage to the towns through which highways are routed east of the Cascade Mountains, where the towns are few and far between.

Mr. Brown advised that the Superintendent of the Klamath Indian Reservation is in favor of the route which passes through the town of Chiloquin, and controls the right of way situation. He intimated that the Commission might have difficulty in securing the right of way unless the highway is routed through this town. He questioned the Engineer's estimates of cost of construction of the various routes under consideration and the necessity for the sharp curvature in Route No. 2 just south of the town of Chiloquin.

Chairman Cabell stated that there was a time when the highways were not built on the straightest lines; but the standards have changed, and invariably, where a highway was not constructed on a permanent location, it had to be rebuilt, and in line with that policy the present Highway Commission does not intend to build any highways on temporary alignment. He then explained that the Commission considers all of its problems from the standpoint of benefits to the people of the state as a whole, compared to local benefits, and its decisions are based on such consideration, and when a project is laid out it is studied from both angles; and, if the Commission finds that local interests outweigh the interests of the general public, or if the advantages are about equal, the local interests are given the preference; but, where the advantages to local interests do not outweigh state-wide interests, then it is the policy of the Commission to make its decision in favor of the state-wide interests.

After further discussion the Commission decided to defer final action on this matter pending investigation by the Engineer of the cutoff between Routes 1 and 2 proposed by Mr. Priaulx, and the possibilities of reducing the sharp curvature in Route No. 2 just south of Chiloquin. The Engineer was instructed by the Commission to make such investigation and report his findings. The delegation was informed that the Commission will consider the arguments presented at this meeting but will not promise that any changes will be made, because the Commission feels at this time that, from a state-

wide standpoint, the route proposed by the Engineer is the best.

The Attorney reported that in conformance with instructions given him by the Commission on the previous evening he contacted the Western Timber Company relative to settlement for right of way for the Wolf Creek Highway across its holdings, and ascertained that, if the Commission would authorize the payment of \$16,000 instead of \$15,000, it is quite likely that the Company would settle on that basis. He recommended the payment of the increased amount. The Commission approved the recommendation by unanimous vote.

A delegation, representing the Champoege Park Commission and the Sons and Daughters of Oregon Pioneers, and composed of Messrs. Milton Miller, Harvey Starkweather, George W. Caldwell, Ivan Humason, Mrs. I. L. Patterson, and Mrs. Albert Brown, was present in the interests of the proposed road leading to Champoege Park from the secondary highway near Wilsonville. Mr. Miller headed the group. He asked the Commission to construct, at the earliest possible time, the section of this road between Butteville and Champoege Park and to decide where the road is to be constructed within the park boundaries. He said that the park committee contemplates the securing of federal funds for the construction of a shrine within the park but they must know where the road is to be constructed so they can properly locate the shrine.

Mr. Caldwell concurred in the remarks of Mr. Miller. He added that the Sons and Daughters of Oregon Pioneers, of whose Board of Directors he is a member, is in favor of a road which will skirt the east side of the park approximately on what is known as Napoleon Avenue.

Mr. Starkweather, Mr. Humason, Mrs. Patterson and Mrs. Brown voiced their approval of the remarks of the other speakers. Mrs. Brown declared that it would be a desecration to build a road through the park, but they are very anxious for the construction of the road from Butteville and for the construction of the shrine. Mrs. Patterson gave as her understanding that the Commission at one time agreed to build a road up to the park from Butteville. She inquired why the plans were not carried out. Chairman Cabell explained the necessity for the deferment of this improvement, which was held up because of the inadequacy of funds with which to finance it under the original setup, as a W.P.A. project. He added that he did not believe there is any question that the road will be built, but he could not say when it will be built. Further, that the Highway Commission will do all that it can to protect the road from being commercialized, so that the adjacent property can be retained as nearly as is possible in its natural state.

Mr. Miller pointed out that the Sons and Daughters of Oregon Pioneers will hold their annual meeting in Champoege Park on May 2. He asked the Commission to state specifically at this time if it is going to build a road from Butteville to the park so that the information can be passed on to the people at that time.

In reply thereto Chairman Cabell stated (Commissioners Aldrich and Tou Velle concurring) that it is the intention of the Commission to build

this road some time, but no commitment or promise can be made now as to when it will be done.

A delegation from Lane County, consisting of County Commissioner C. M. Young, County Engineer P. M. Morse, and John Durr, Secretary of the Eugene Chamber of Commerce, was present. They expressed their thanks for the action of the Commission ordering snow removal on the Santiam Highway to connect with the Clear Lake cut-off road to Belknap Springs, thus opening the road to travel between Eugene and Bend; and for authorizing the oiling work on the McKenzie Highway. Mr. Young asked for the following improvements: additional construction on the Willamette Highway above Oakridge; early completion of the Junction City-Eugene Section of the Pacific Highway along what is known as the Prairie Route, so that this road will be available during periods of high water; construction of a section of the so-called "Route F" road (Eugene short road to the sea), between Christenson Gap and Veneta, eliminating therefrom the railroad grade separation structure at Christenson Gap.

Chairman Cabell advised that the Commission is also desirous of completing the Willamette Highway and the Junction City-Eugene projects, and hopes within the next two years to open up the Willamette Pass for traffic, although no definite information can be given in regard thereto at this time. Relative to the "Route F" project, he advised that this work cannot be undertaken until the Commission's finances improve, but the Commission will bear the project in mind for future consideration.

At 3:30 o'clock p. m. Chairman Cabell announced the following awards of contracts for which bids were taken at the morning session, the awards having been previously approved by the Commission by unanimous vote:

"Wilson Ranch-Paradise Creek Section of the Umpqua Highway, in Douglas County. 7.8 miles resurfacing; also furnish 12,000 cu.yds. crushed gravel in stock pile. The low bid was submitted by Roy L. Houck, Salem, at \$45,332.00. The next low bid was submitted by Ed-lefsen-Weygandt Company, Portland, at \$50,589.00. There were six higher bidders. The Commission has deferred the award of the contract and has referred all bids received therefor to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Burns-Buchanan Section of the Central Oregon Highway, in Harney County. 21.8 miles roadbed topping and roadmix oiled surfacing. The low bid was that submitted by Warren Northwest, Inc., Portland, at \$126,808.00. The next low bid was that submitted by Morrison-Knudsen Company, Boise, Idaho, at \$128,711.00. There were twelve higher bidders. The Commission has awarded this contract to the low bidder, Warren Northwest, Inc., at their bid price of \$126,808.

"Valley Falls-Cinder Butte Section of the Lakeview-Burns and Fremont Highways, in Harney and Lake Counties. 96.7 miles oil mat surface treatment. The bid of Babler Bros., Portland, at \$74,313.00

was the low bid submitted for this project. The next low bid was that submitted by Warren Northwest, Inc., Portland, at \$74,524.75. There were twelve higher bidders. The Commission has awarded this contract to the low bidder, Babler Bros., at their bid price of \$74,513.00.

"Beatty-Bly Section of the Klamath Falls-Lakeview Highway, in Klamath County. Furnish 5,700 cu.yds. crushed rock in stock pile. The Commission received three bids for this project, the low one being that of R. O. Dail & Warren Bros., Inc., Aberdeen, Washington, at \$12,540.00. The contractors qualified their bid by saying that they would not accept this job unless awarded also the contract for the Klamath Falls Rock Production Project, which has been awarded to another contractor. The next low bid was submitted by R. I. Stuart & Sons, Medford, at \$12,980.00. The other bid was that of A. S. Wallace, Roseburg, at \$16,550.00. Due to the condition imposed by the low bidder, the Commission has awarded this contract to the second low bidder, R. I. Stuart & Sons, at their bid price of \$12,980.00.

"Klamath Falls Rock Production Project on The Dalles-California, Green Springs, and Klamath Falls-Lakeview Highways, in Klamath County. Furnish 20,100 cu.yds. crushed rock in stock pile. The low bid was submitted by R. I. Stuart & Sons, Medford, at \$38,250.00. The next low bid was that submitted by R. O. Dail & Warren Bros., Inc., Aberdeen, Washington, at \$44,220.00. There was one higher bidder. The Commission has awarded this contract to the low bidder, R. I. Stuart & Sons, at their bid price of \$38,250.00.

"Rainrock-Greenleaf Creek Section of the Siuslaw Highway, in Lane County. 16.21 miles oil mat surface treatment. The low bid was submitted by Babler Bros., Portland, at \$29,639.00, based on the use of tar. They did not submit a bid based on the use of road oil. The next low bid was that submitted by J. C. Compton, McMinnville, at \$29,941.00, based on the use of road oil, and \$29,825.00, based on the use of tar. There were five higher bidders. The Commission has awarded the contract to the low bidder, Babler Bros., at their bid price of \$29,639.00, based on the use of tar.

"Short Sand Beach Creek Section of the Oregon Coast Highway, in Tillamook County. 1.24 miles grading. The low bid was submitted by Roy L. Houck, Salem, at \$94,965.00. Leonard & Slate, Multnomah, submitted the next low bid at \$101,720.00. There were thirteen higher bidders. The Commission has awarded the contract to the low bidder, Roy L. Houck, at his bid price of \$94,965.00.

"Middleton-Votaw Section of the West Side Pacific Highway, in Washington County. 1.2 miles grading and Portland cement concrete pavement. The Commission received six bids for this project, the

low one being that of Mountain States Construction Company, Eugene, at \$55,517.00. The next low bid was that of Oregon Contracting Company, Portland, at \$55,890.00. The Commission has deferred the award of this contract and has referred the bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

The County Court of Washington County, represented by County Judge Donald T. Templeton and County Commissioner H. D. Kerkman, came before the Commission in regard to the maintenance of the Gales Creek county road between Forest Grove and Glenwood, and the maintenance of the city streets in the city of Forest Grove which connect the Gales Creek road with the Tualatin Valley Highway and the Nehalem Secondary Highway. They gave as their understanding that there is some question as to the authority of the Commission to spend money to maintain this road in view of the fact that it is neither a primary nor a secondary state highway, and asked for an explanation.

The Attorney advised that from a legal standpoint the only justification for an expenditure of state highway funds to maintain the Gales Creek road is the need for its use during state highway construction and its use as a state highway detour over which to route state highway traffic pending the completion of the Wilson River and Wolf Creek Highways into Portland. He said that, if the Gales Creek road meets these requirements, then the Commission has legal authority to spend state money to maintain it. He also said that, if state highway traffic is being routed over the city streets of Forest Grove, then that fact would impose upon the State Highway Commission the obligation to maintain those streets.

The Engineer advised that the Gales Creek road, in his estimation, meets the requirements mentioned by the Attorney because it will have to be used by Wilson River and Wolf Creek Highway traffic pending completion of these roads into Portland.

After further discussion and in view of the statements of the Attorney and the Engineer, the Commission decided that it has the authority to maintain the Gales Creek road and the connecting streets in Forest Grove at state expense, and thereupon, by unanimous vote, authorized the Engineer to perform such maintenance work.

A delegation, representing the Newport Chamber of Commerce and composed of Mr. James F. Baird, Mayor, Newport; L. C. Smith, Councilman; and P. E. Fullerton and Pat Kelly, owners of cottages at Nye Beach, came before the Commission in regard to the construction of a road approach to Nye Beach from the Oregon Coast Highway at a point about two blocks south of the city hall. Mr. Smith was spokesman for the group. He said that the cottage owners at Nye Beach are desirous of having an approach road from the Oregon Coast Highway to their district, same to extend partly along what is known as Neff Avenue, and that they have raised about \$700 by private subscription to assist in financing the improvement, but they do not have sufficient funds to complete it, and accordingly are asking the State Highway Commission to cooperate in the expense, particularly in view of the fact that when the Commission constructed

the highway to the Newport bridge no provision was made for a connection to Nye Beach at this point. He exhibited a map disclosing the route of the proposed roadway, which begins at the Oregon Coast Highway opposite the city park, about two blocks south of the city hall, and extends westerly, partly across private property and partly along Neff Street, to a connection with Alder Street near Eighth Street, about two blocks west of the city hall.

The Engineer advised that the Commission is without legal authority to spend state money for the construction of a city street that is not a state highway route, except where such construction work is confined within the limits of the state highway right of way.

Mr. Smith alleged that there was a connection through from Neff Street to the highway right of way at one time, but this was destroyed when the highway was constructed; furthermore, in building the highway the Commission deposited materials on his private property; and, while he has no objections to this in view of the fact that he is deeding the balance of his lot to the city for street purposes, he believed that, under the circumstances, the state should help them out now in the construction of their proposed approach road. The Attorney advised that, if in building the highway through the city the state has destroyed an existing street connection, then the Commission has legal authority to restore such connection, which apparently is the case in this instance.

After further discussion and in view of the circumstances surrounding this case, the Engineer recommended that the State Highway Commission cooperate to the extent of constructing one block of the road from the highway grade to the existing grade on Seventh Street. Mr. Smith stated that they would be satisfied with such contribution, and if the Commission will do that much they will spend their money on construction west of Seventh Street. The Commission thereupon by unanimous vote approved the Engineer's recommendation, provided investigation reveals that the work can be undertaken at a reasonable expense. The Engineer was instructed and authorized to make such investigation and to contact Mr. Andrew J. Porter, City Engineer of Newport, in regard to the details.

Mr. Smith then brought up for discussion the use of the state's quarry at Agate Beach. He said that the city owns a quarry adjoining the state's quarry at this place but they find that the city's quarry is not in very good condition, wherefore they would like, if possible, to obtain materials from the state's quarry for use in connection with city improvements. He intimated that the city would pay royalty for the use of this quarry if the state demanded it.

The Engineer advised that the rock in this quarry is not first class but is the best that is available in this vicinity; also, that on account of scarcity of rock in this locality he would not like to dispose of the quarry because the state may need it at some future date. He pointed out that it has always been the policy of the Commission to let the counties and cities secure materials from state sources of supply, free of cost, when such materials are to be used for county or city improvements, but the Commission does

not permit the taking of such materials for private use. He further advised that the Highway Department at one time obtained materials from the city's quarry at Agate Beach, for which no charge was made by the city, and recommended that the state show the city the same courtesy at this time, provided materials taken are used for public purposes and not for private gain. The Commission approved the recommendation by unanimous vote.

The Commission adjourned at 4:15 o'clock p. m. to reconvene at 9:00 o'clock the following morning.

Portland, Oregon, April 28, 1937.

The State Highway Commission reconvened in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
J. M. Devers, Attorney  
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects were opened and read in conformance with previously published notice:

NEHALEM SECONDARY HIGHWAY  
OILING PROJECT IN CLATSOP, COLUMBIA AND WASHINGTON COUNTIES

	Using Oil	Using Tar
J. C. Compton	\$ - - -	\$55,171.85
Babler Bros.	- - -	56,870.00
Harold Blake	- - -	57,659.55
Edwin C. Gerber	59,333.50	- - -

SANTIAM HIGHWAY  
LAMB CREEK - SHEEP RIDGE SECTION  
GRADING

Roy L. Houck	\$ 95,945.00
McNutt Bros.	104,134.50
Berke Bros., Inc.	108,395.50
J. A. Lyons	113,876.00
Leonard & Slate	114,165.00
E. L. Gates	115,322.00
Kern & Kibbe	115,761.00
Parker-Schram Company	117,754.50
Colonial Construction Company	118,852.00
A. C. Greenwood Company, Inc.	129,655.00
Slate Construction Company	142,730.00

LINN AND YAMHILL COUNTIES OILING PROJECT  
THREE SECONDARY HIGHWAYS

	Using Oil	Using Tar
J. C. Compton	\$ - - - -	\$33,906.80
F. J. Kernan	- - - -	34,945.20
Babler Bros.	- - - -	35,250.00
Edwin C. Gerber	36,423.00	- - - -
Harold Blake	- - - -	37,870.05

I. O. N. HIGHWAY  
EAST UNIT, JORDAN CREEK SECTION - GRADING

Consolidated Highway Company, Inc.	\$ 94,692.36
Anderson Construction Company	94,971.00
McNutt Bros.	98,774.00
Leonard & Slate	103,232.00
M. L. O'Neil & Son	106,831.80
Morrison-Knudsen Company	106,900.00
Joplin & Eldon	128,488.00
Tony Marrazzo	128,950.50

I. O. N. HIGHWAY  
EAST UNIT, JORDAN CREEK SECTION  
CONSTRUCTION OF FIVE BRIDGES AND THREE CULVERTS

J. F. Johnston	\$ 40,923.00
Consolidated Highway Company, Inc.	41,435.36
Mountain States Construction Company	41,599.00
R. F. Nichol	41,982.00
C. J. Montag & Son	43,530.00
Warren Northwest, Inc.	43,924.00
Tom Lillebo	44,393.25
E. F. & W. F. Philpott	47,675.00

SALEM-DALLAS HIGHWAY  
APPROACH TO BRIDGE OVER WILLAMETTE RIVER, SALEM  
REMOVAL AND REPLACEMENT OF SUBSTRUCTURE

Averill & Corbin	\$16,325.00
Erick Enquist	18,333.00
Tom Lillebo	18,614.00
L. H. Hoffman	18,687.00
Parker-Schram Company	18,810.00
Mountain States Construction Company	19,410.00
Gilpin Construction Company	19,805.00
Kern & Kibbe	23,810.00

Chairman Cabell announced that the award of contracts would be made at 3:30 o'clock p. m. in the same room.

The Commission had under consideration the setting of a date for its inspection trip in southern Oregon; and its conference in Olympia, Washington, with Lacey V. Murrow, Director of Highways of the State of Washington, relative to the establishment of free ferry service across the Columbia River at Astoria; and the date for the public hearing in Albany relative to the re-routing of the Pacific Highway through that town. The Engineer pointed out that the next regular meeting of the Commission is scheduled to be held on Thursday, June 3. He suggested that it might be advisable to confer with Mr. Murrow in Olympia on Wednesday, June 2, and to hold the public hearing in Albany on Friday, June 4. The Commission approved the recommendation and so ordered. The Secretary was instructed to send formal notice to the Albany City Council concerning the public hearing which is to be held at that place. The Commission also decided to visit Grants Pass and Ashland on Monday, May 17, 1937.

The County Court of Linn County, represented by County Judge J. J. Barrett, County Commissioner Harry W. Cooley, and County Engineer W. W. Larsen; also former County Commissioner H. F. Warren, came before the Commission and requested the following projects: (1) completion of the South Santiam Highway; (2) resurfacing of the Santiam Highway between Albany and Lebanon; (3) reconstruction of the Halsey-Sweet Home Secondary Highway to provide a connection with the bridge that the county is constructing over the Calapooya River at that place.

The Engineer advised that the Commission today received bids for the grading of an additional section of the Santiam Highway between Lamb Creek and Sheep Ridge, 1.34 miles in length, and that the cost to grade the remaining section will amount to about \$200,000, all of which is within the national forest area. He added that the Commission has tentatively allocated sufficient forest highway funds to complete about one-half of this remaining section during the 1938 construction season. In regard to the Albany-Lebanon Section, the Engineer advised that he realizes that the road is entirely inadequate for present-day traffic demands, but the Commission is not financially able to improve it at this time because of the cost involved; wherefore, it will be necessary to maintain the present road in the best possible manner unless the people of Linn County would prefer that this work be undertaken in preference to the opening up of the Santiam Highway over the summit into eastern Oregon. He said that to resurface the road properly would cost about \$15,000 or \$20,000 per mile. Chairman Cabell predicted that it would be two or three years before the Commission would have funds to allocate to this resurfacing work. The County Court indicated that the grading of the highway over the summit should be given preference over the reconstruction of the Albany-Lebanon Section.

In regard to the construction of the connection of the Halsey-Sweet Home Secondary Highway to the new county bridge at Brownsville, the Commission instructed the Engineer to render a report thereon at the next meeting.

County Judge Nelson B. Higgs, Harney County, was present. He gave as his understanding that the low bid received by the Commission on the previous day for the oiling of the Burns-Buchanan Section of the Central

Oregon Highway was considerably less than the Engineer's estimate for such work, and that there remains a surplus of the amounts budgeted for this job, which he would like to have the Commission spend for oiling the Central Oregon Highway between Juntura and Harper. He was informed by Chairman Cabell that the Commission has done this in some instances where the surplus is a considerable amount, but it is not possible to follow such procedure where the low bid is close to the amount budgeted, because the Commission must have funds available in the event that the cost of the project overruns the contract amount, which may happen in this particular instance.

The Commission then discussed briefly with Judge Higgs matters pertaining to the Frenchglen Secondary Highway, the I.O.N. Highway and the proposed oasis projects along the Central Oregon Highway between Bend and Burns. The Engineer was instructed by the Commission to investigate the possibilities of oasis construction at Gap Ranch and Brothers and render a report thereon at a future meeting.

Mark D. McCallister, right of way buyer, was present in regard to acquisition of right of way for the Burns-Buchanan Section of the Central Oregon Highway and Shady Point-Kelly Corner Section of the Pacific Highway. He presented options for several parcels, which the Commission approved. Mr. McCallister also reported on the matter of securing an option from Mr. Farleigh for certain acreage located on the Fossil-Kinzua Junction Section of the John Day Highway. It now appears that Mr. Farleigh does not have clear title to the property inasmuch as he is simply buying the property from the World War Veterans State Aid Commission, which has protested the sale because they want a cattle pass constructed to join the property on both sides of the new highway. Mr. McCallister stated that, in his estimation, the cattle pass is not required because Mr. Farleigh has only eight or ten cows and the expense of a cattle pass is not justified. He suggested that, in lieu thereof, the Commission construct about 80 rods of additional fence and pay the cost of moving Mr. Farleigh's house and garage and that the state secure bids from house movers and have the moving done instead of making a settlement of \$525 with Mr. Farleigh for a cattle pass. The Commission approved the suggestion.

Mr. McCallister reported that the property belonging to Mr. Coblentz, on which an option was secured for a quarry site containing ten acres near Champoe Park, has been sold to Mr. E. B. McNaughton and others, who secured their option before the state secured its option; further, that Mr. McNaughton has stated his willingness to deal with the state for the quarry site as soon as they secure title to the property, but they hope that it will not be necessary for the Highway Commission to take more than five acres and they are willing for the state to enter on the property for the purposes of prospecting. The Commission approved the report and ordered the option returned to Mr. Coblentz.

Mr. S.H. Boardman, State Parks Superintendent, was present and reported on various park matters. He said that in acquiring the Otter Crest State Park site in Lincoln County, apparently an error was made in describing the

area, because recent surveys indicate that a certain small point of land was not included, and the owner of the property, Mr. Wilbur Badley, Portland, is now constructing a small building thereon in which he proposes to conduct a sandwich counter and soft-drink establishment. This small parcel of land, he said, is on the ocean side of the highway and affords a splendid view of the ocean and, in his estimation, the building located thereon would detract from the appearance of the state park. He urged the Commission to acquire this area which he estimated contains about one acre, in order to fill out the park area and keep the park from being commercialized. After discussion the Commission authorized immediate negotiations with Mr. Badley for the acquisition of this tract. A report thereon is to be rendered at the earliest possible time together with a report on negotiations with Mr. Badley for two other tracts on the east side of the highway which the state needs for right of way for its proposed revision of the highway at this point and for an addition to the Otter Crest Park site.

The Parks Engineer recalled that several months ago the Commission authorized him to secure an option for the purchase of an 80-acre tract of land situate adjacent to the Rogue River between Trail and Prospect, on the Crater Lake Highway, in Jackson County, as a supplement to the state park located at this place, and in accordance therewith he has endeavored to find the owner of the property, one G. C. Smith, but without avail; so, if the Commission is still of the desire to acquire the property, it will have to be obtained through condemnation. He valued the property at about \$1000 and recommended condemnation because it will make a valuable addition to the present park. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, by the terms and provisions of Chapter 201, General Laws of Oregon, 1925, and other laws of the State of Oregon, the State Highway Commission is authorized and empowered to acquire land or ground necessary for the development, maintenance, and operation of parks, parking places, automobile camps, camp sites, public squares, recreation grounds or resorts and land for the preservation of trees or timber growing thereon; and

WHEREAS, in the judgment and opinion of the State Highway Commission it will be for the convenience of and is for the best interest of the general public that there be acquired for public purposes, to wit: for the purpose of developing and maintaining a park, parking place, automobile camp, recreation ground and/or resort, and for the purpose of making it possible for the Highway Commission to preserve the timber growing thereon, the following described parcel of land, to wit:

G. C. Smith

All of the southwest quarter (SW $\frac{1}{4}$ ) of the northwest quarter (NW $\frac{1}{4}$ ) and all of the northwest quarter (NW $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) of Section 16, Township 33 South, Range 2 East, W. M., Jackson County, Oregon; containing 80 acres.

and

WHEREAS, in the opinion and judgment of the State Highway Commission it is necessary that title to the said parcel of land be procured for the purposes herein stated;

NOW, THEREFORE, BE IT RESOLVED that the said parcel or tract of land be and the same hereby is declared by this resolution to be necessary for the purposes herein stated; and

BE IT FURTHER RESOLVED that title to the said parcel or tract of land be acquired by the State of Oregon for the purposes herein stated.

BE IT FURTHER RESOLVED that the best interests and convenience of the general public require that title to the said tract of land be acquired for the purpose of developing and maintaining the same for park, parking place, automobile camp, recreation grounds and resort purposes, and for the purpose of preserving the timber growing thereon and making the said parcel or tract of land generally available for the use and enjoyment of the general public.

BE IT FURTHER RESOLVED that an effort be made to agree with the owner or owners of the said parcel or tract of land upon the compensation to be paid for the taking of the same and the damage, if any there be, and in the event that no satisfactory agreement can be reached it is further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested to negotiate with the said owner or owners for the purchase and acquisition of the said parcel or tract of land, and in the event that they are unable to reach a satisfactory agreement with the owner or owners of said parcel of land they are hereby requested and instructed to commence and prosecute to a final determination such action, suit, or proceedings as may be necessary and appropriate to acquire title in and to the said parcel or tract of land and all rights therein for the purposes herein stated.

The Commission had under discussion the matter of permitting three C. C. C. camps, which have been allotted to the State Highway Commission for recreational development work in state parks, to be transferred to the United States Reclamation Service for work on the north unit of the Deschutes irrigation project. The Parks Engineer gave as his thought that it would be a serious mistake to allow these men to be transferred from the park and roadside beautification work in which they are now engaged unless such transfer would be effective during the winter season only, when the men could not do much work in the parks. He exhibited a map showing the roadside beautification work that is now under way by C. C. C. workers under his supervision

and also showing his plans for future work. The State Highway Engineer advised that the work that is being done by C.C.C. workers under Mr. Boardman's direction is of inestimable value and in his opinion the state is securing more benefit from this work than could be obtained in any other kind of work. Chairman Cabell gave as his understanding that the promoters of the irrigation project are endeavoring to secure a project that is very important to Jefferson County but they do not have sufficient money to assure the project. However, they are of the opinion that they can secure it if they can show in their setup sufficient clearing work to justify the elimination of such item of expense from their project statement; and it appears that about the only way they could do this is to secure the services of the men in three of the state park C.C.C. camps located in that area. He suggested that it might be possible and advisable to loan these C.C.C. workers to the irrigation project during the winter months only, when they cannot work to advantage in state parks or along the roadsides, with the understanding that they would be re-transferred to the state park work during the balance of the year. After further discussion Chairman Cabell's suggestion was approved by the Commission by unanimous vote, subject to the condition that it meets with the approval of Governor Martin. The Engineer was instructed to contact Governor Martin relative thereto.

The Parks Superintendent reported the receipt of an offer from a Mr. Ed Meyer, Jewell, Oregon, to sell to the state an 80-acre tract of timber land situate adjacent to the Nehalem Highway just west of the town of Jewell, in Clatsop County. He said that Mr. Meyer wants \$11,000 for the timber only, which, in his estimation, is an exorbitant price because the trees are small and are not particularly valuable from the park standpoint, inasmuch as the highway adjacent to which they are located is of secondary importance. The Commission voted unanimously to decline the offer.

The Parks Superintendent brought up for discussion the matter of acquiring a roadway from the Wolf Creek Highway to Saddle Mountain State Park, in Clatsop County. He said that the existing road from the highway to the park is privately owned and that the owners are demanding \$25,000 for the same, which is the amount that they allege the road cost them; and they feel that, inasmuch as the state would be getting the benefit of it, the state should reimburse them for such expense. The Commission considered that the price demanded for this roadway is exorbitant; however, authorized the Engineer to make a reconnaissance survey of the same to determine its value to the state. The Engineer was also authorized to look into the possibilities of the roadway on some other location which would eliminate the necessity of paying \$25,000 for the existing roadway. The Secretary was instructed to inform Mr. Randell Dickinson, Seaside, who is particularly interested in this matter, of the action taken.

The Secretary presented a telegram from the Lake County Chamber of Commerce advising that the Ewauna Box Company is now cutting timber along the Klamath Falls-Lakeview Highway west of Drews Creek, and suggesting immediate condemnation proceedings to acquire this timber, to assure its preservation for general public enjoyment. In this connection the Parks Superintendent

advised that he has made certain investigations relative to the acquisition of this timber, which is practically all pine of good quality, and finds that it is owned by the Oregon Land and Livestock Company, which is willing to sell it to the state at the rate of \$5.00 per thousand board feet, which would amount to about \$5000 for the timber on a strip of land 500 feet wide and about  $1\frac{1}{2}$  miles long paralleling the highway along Quartz Creek, there being about 1,000,000 board feet of timber on such strip. He said that this is a fine stand of timber and recommended its purchase if the Commission can possibly find the money to finance it. The Commission took the view that it should not spend a great deal of money for the preservation of timber along this road because the traffic served by it is largely commercial rather than tourist, and it was the thought of the Commission that much greater benefit would be derived from the expenditure of its money for similar purposes on a road where tourist traffic is heavy. However, the Commission deferred definite action on the matter pending further report on the subject by the State Parks Superintendent, who was authorized to take options for the purchase of the timber on a strip of land 500 feet wide and  $1\frac{1}{2}$  miles long along the relocated center line of this highway just east of Quartz Valley, such options to be limited in amount to a total of \$5000.

The Parks Superintendent brought up the question of purchase of an azalea tract containing 30 acres, situate near the Oregon Coast Highway, between the Chetco River and the town of Brookings, in Curry County. It appears that this tract contains an exceptionally fine stand of azaleas; and, while it is situated some little distance from the permanent location of the highway, it is exceedingly valuable from the tourist standpoint and should be owned by the state in order to preserve the azaleas for the general public enjoyment and as a tourist attraction. It also appears that the owner of the property is demanding \$150 per acre for the same. The Commission indicated a favorable attitude toward the purchase of the tract if it can be acquired at reasonable cost. The Parks Superintendent was authorized by the Commission to negotiate with the owner of the property and ascertain whether or not he will reduce the price.

The Commission adjourned at 12:00 o'clock noon to reconvene at 2:00 o'clock p. m. in the same room.

The State Highway Commission reconvened at 2:00 o'clock p. m. in the Auditorium of the Public Service Building with all members, the State Highway Engineer, the Attorney and the Secretary present.

Mr. N. G. Wallace, Public Utilities Commissioner of Oregon, and his attorney, Mr. Alvin Kurtz, were present and conferred with the Commission in regard to the prosecution of log haulers who are found to be hauling loads on state highways in excess of the weight limits prescribed by statute. Mr. Wallace advised that he receives from time to time communications from the State Highway Commission recommending that certain pieces of log-hauling equipment be suspended from operating on state highways because of violation of the traffic laws governing the weight of loads, which is in conformance with the previous agreement between the State Highway Commission and the

former Public Utilities Commissioner, Mr. Frank McColloch. He said that it is his desire to cooperate to the fullest extent with the State Highway Commission in this matter to the end that the practice of overloading will be stopped; but, in his estimation, he does not have the legal authority to do what the Commission asks; furthermore, experience indicates that the present method of handling the matter is not successful because it is a very easy matter for an operator to keep his equipment in operation by transferring title or by leasing the same to someone who is able to secure a permit and keep the equipment in service without interruption. He asked the Commission to modify its ruling so that it can be enforced and the violators thereof justly punished. He pointed out that special carrier permits issued from his office do not cover a single piece of equipment but in numerous instances are written to cover a fleet of trucks and trailers, which is in accordance with the provisions of the statutes; also, that the statutes authorize the cancellation or revocation of such permits under certain conditions but do not provide for the cancellation, revocation or suspension of single units in cases where more than one unit is covered by the permit; so, in his estimation, if the Highway Commission desires the suspension of certain equipment, that could only be done by suspending all of the equipment covered by the permit. He advised that there are two sections of law affecting the operations of log haulers, one being Section 13 which provides that the Public Utilities Commissioner must cancel a permit when requested to do so by the State Highway Commission; and the other, Section 15, which authorizes the Public Utilities Commissioner, upon his own motion or upon complaint and after hearing, to cancel or suspend a permit if the Commissioner finds as a result of such hearing that the permittee has been guilty of frequent violations of the provisions of the Act.\* He also advised that the hearings are quite costly and that if one is held in connection with each violation it would run into large expense, which he would like to avoid if possible. Furthermore, the hearings utilize considerable time of the state police officers who would be required to be present, when their services could be used to much better advantage for other things. He said that he was satisfied that the old practice or procedure that was in effect prior to July 1936 cannot be enforced and advised that, in his opinion, there are only two legal solutions to this problem, one being under Section 13 of the Act and the other under Section 15. Under Section 13, he said, if the Highway Commission will recommend to him that a permit be revoked, he will gladly comply with such recommendation, and the operator then would have to secure another permit before he could resume operations, which permit would not be issued unless and until the State Highway Commission recommended the same. To proceed under Section 15, he said, would require a public hearing if the operator has committed more than one violation, and if the evidence presented at such hearing justified the suspension or cancellation of the permit he would see to it that the permit was so suspended or cancelled; but the supporting evidence would have to be satisfactory. \*Ch. 429 (as amended by Ch. 45 & Ch. 94, 2d Sp. Session) Oregon Laws 1933.

Chairman Cabell gave as his thought that drastic action of some kind would have to be taken in order to stop the practice of overloading and the expense incident thereto. He also said that the Commission realizes that the practice heretofore followed as a solution to the matter is a failure; but, so far as he is concerned, he would not be in favor of cancelling a

permit covering a fleet of trucks simply because one of such fleet has been involved in a violation of the load limit laws.

Commissioner Wallace inquired as to the wishes of the Commission in regard to the more than one hundred cases of violations that are now pending. He pointed out that, if a public hearing is held in connection with each, it will run into a considerable sum of money and, besides, will take the time of numerous state employees, including state police officers.

Chairman Cabell suggested, in view of the explanations of the Public Utilities Commissioner and the fact that the practice heretofore followed has not proved successful, that the pending cases be dismissed and that a workable plan be formulated by the Public Utilities Commissioner and the State Highway Engineer, jointly, that will accomplish the Highway Commission's objectives and provide a practical means of inflicting penalties on violators of the overload laws as soon as possible after such violations are committed. This suggestion was approved by the Commission and Mr. Wallace by mutual consent and it was so ordered.

At Mr. Wallace's suggestion the Commission instructed the Secretary to notify Mr. Wallace of all violations for overloads that come to his attention but to defer making any recommendations in regard thereto.

The Engineer was instructed by the Commission to confer with Mr. Wallace relative to the solution of this problem on the basis of the above understanding. The Attorney was instructed to look into the law and advise the Commission whether or not its recommendations to the Public Utilities Commissioner should be by letter or in the form of a resolution.

At 3:30 o'clock p. m. Chairman Cabell announced the following awards of contracts for which bids were taken by the Commission at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Nehalem Highway Oiling Project on the Nehalem Secondary Highway, in Clatsop, Columbia and Washington Counties. 26.33 miles oil mat surface treatment. The low bid was that submitted by J. C. Compton, McMinnville, at \$55,171.85, based on the use of tar. Mr. Compton did not submit a bid based on the use of road oil. The next low bid was that submitted by Babler Bros., Portland, at \$56,870.00 based on the use of tar. This contractor also did not submit a bid based on the use of road oil. There were two higher bidders. The Commission has awarded this contract to the low bidder, J. C. Compton, at his bid price of \$55,171.85, based on the use of tar.

"Lamb Creek-Sheep Ridge Section of the Santiam Highway, in Linn County. 1.34 miles grading. The low bid for this work was submitted by Roy L. Houck, Salem, at \$95,945.00. The next low bid was submitted by McNutt Bros., Eugene, at \$104,134.50. There were nine higher bidders. The Commission has awarded this contract to the low bidder, Roy L. Houck, at his bid price of \$95,945.00.

"Linn and Yamhill Counties Oiling Project on three secondary highways in Linn and Yamhill Counties. 11.43 miles oil mat surface treatment. The low bid was submitted by J. C. Compton, McMinnville, at \$33,906.80, based on the use of tar. He did not submit a bid based on the use of road oil. The next low bid was that of F.J. Kernan, Portland, at \$34,945.20, based on the use of tar. He also did not submit a bid based on the use of road oil. There were three higher bidders. The Commission has awarded the contract to the low bidder, J. C. Compton, at \$33,906.80, based on the use of tar.

"East Unit of the Jordan Creek Section of the I.O.N. Highway, in Malheur County. 16.46 miles grading. The low bid was submitted by Consolidated Highway Company, Inc., Portland, at \$94,692.36. The next low bid was submitted by Anderson Construction Company, Portland, at \$94,971.00. There were six higher bidders. The Commission has deferred the award of the contract and has referred all of the bids received therefor to the Engineer with power to make the award when certain conditions have been satisfied.

"Construction of five bridges and three culverts on the East Unit, Jordan Creek Section of the I.O.N. Highway, in Malheur County. J. F. Johnston, Newberg, submitted the low bid for this project at \$40,923.00. The next low bid was submitted by Consolidated Highway Company, Inc., Portland, at \$41,435.36. There were six higher bidders. The Commission has deferred the award of the contract and has referred the bids received therefor to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Removal and replacement of substructure for the west approach to the bridge over the Willamette River on the Salem-Dallas Highway, at Salem. The low bid was submitted by Averill & Corbin, Portland, at \$16,325.00. The next low bid was submitted by Erick Enquist, Troutdale, at \$18,333.00. There were six higher bidders. The Commission has awarded the contract to the low bidder, Averill & Corbin, at their bid price of \$16,325.00."

Mr. Herman Leeding, Milwaukie, Chairman of the Milwaukie Civic League, came before the Commission and requested state aid in connection with certain sidewalk construction on the west side of the River Road at Island Station, a short distance south of the town of Milwaukie. He said that the present sidewalk ends about 150 feet south of the Milwaukie Undercrossing, and pedestrians are now required to cross the road in order to reach the highway; that the County Court of Clackamas County has indicated its willingness to extend the culverts that may be necessary and to construct the sidewalk after a foundation has been made for the same and to provide labor to load and spread the fill materials, but they cannot furnish trucks to haul the materials that are needed for the fill construction; hence their request to the State Highway Commission to furnish such equipment. The Commission took the matter under advisement and referred it to the Engineer for investigation and report.

Mr. S. H. Boardman, Parks Superintendent, and George Otten, Landscape Engineer, reported on the proposed memorial which is to be erected by Mr. Ben Hur Lampman and others, adjacent to the Oregon Coast Highway at Depoe Bay, Lincoln County, in memory of two young men who lost their lives in the ocean at this place while attempting to rescue some fishermen whose boat had capsized in the surf. Mr. Otten advised that he met with the committee that has charge of this memorial and ascertained that they already have the stone and the plaques ready for installation and that they want to place this memorial, which is seven and one-half feet high and thirty-eight inches square, in the location that is now occupied by a drinking fountain, whereas he is of the opinion that it should be located on the point that juts out into the bay a short distance south of the fountain and is owned by Mr. E. B. Winchell of Portland, particularly because it would fit in with the rugged surroundings, would stand secure despite storm action, and would carry with it the inspiration that the committee desires to be conveyed, being located, as it would be, near the point where the young men started out on their errand of mercy. He further stated that the committee has requested the privilege of placing this monument on the fountain site as a temporary proposition, pending acquisition of the Winchell tract by the state as an addition to the state park at this point, when it could be moved. He hesitated to recommend such procedure, however, because it would be necessary then to destroy the fountain. Mr. Boardman concurred in the remarks of Mr. Otten. He suggested an additional site among the Spouting Horns which are located on state-owned property about three hundred feet north of the fountain, where it would still be located in a rugged setting and would never have to be moved. This site was also approved by Mr. Otten and both recommended that the monument be not located on the site of the drinking fountain. After discussion the Commission approved the location of the monument on the site suggested by Mr. Boardman among the Spouting Horns, and instructed Mr. Boardman and Mr. Otten to convey such information to Mr. Lampman, who is chairman of the committee that has this matter in charge.

The Commission considered and approved a W. P. A. landscaping project at the east end of the Ross Island Bridge, in Portland, estimated to cost a total of approximately \$10,900.00, of which the state's share will amount to \$2,295.00, and is represented by a cash outlay of \$800.00, and the furnishing of trees, shrubs, et cetera, at a cost of approximately \$1,495.00.

The Commission also approved a W. P. A. project for landscaping two borrow pits adjacent to the Pacific Highway (new route) between Junction City and Eugene, and the construction of artificial lakes thereon. The Engineer advised that this project is estimated to cost \$14,617.00, of which the state's share will be approximately \$2,572.00, represented by a cash outlay of \$1,200.00 and the furnishing of shrubs, trees, et cetera, in the amount of approximately \$1,372.00.

The Engineer read aloud a letter from the Alabama Highway Commission regarding appropriations that the present Congress has under consideration for the relief of unemployment, and the provisions that will govern the expenditure of such appropriations. It was the thought of the Alabama Highway Commission that Congress should be immediately impressed with the need and demand for making available substantial amounts for the improvement and construction of highways and streets because it has been so impressively demonstrated in the past that road building, as an agency of unemployment relief, has many advantages, and that, with the return to normalcy, traffic needs have increased until the immediate demands for improved transportation facilities are greater than ever before. It was also their thought that only the aroused and active public sentiment and the co-ordinated activities of those conversant with highway problems will secure the enactment of proper highway legislation carrying adequate appropriations, for which reason they are asking the Oregon State Highway Commission to urge the Oregon senators and representatives in Congress to do their utmost to secure such legislation. The Commission deferred action on this matter pending a report from the Engineer at the next meeting as to approximately how much money Oregon will need from the Federal Government to carry on the highway program in this state.

The Secretary presented a letter from the Traffic Engineer requesting authority to conduct a survey, estimated to cost \$2,500.00, to determine the economical benefits that would accrue to highway users by reason of the construction of bypass highways around cities and towns. The Commission approved an expenditure of \$300.00 for such surveys at two or three representative locations, as a trial proposition.

The Secretary also presented a letter from the Traffic Engineer in which he requests authority to subscribe to a newspaper clipping bureau to secure information for the proposed detailed accidents study. The Commission approved a three-months subscription to such clipping bureau as a trial proposition to ascertain whether or not it is of value in this study, the matter to be reconsidered at the end of that period.

The Commission considered and ordered filed a letter from Guy V. Lintner, State Director of the National Reemployment Service, regarding hours of employment on state highway projects involving an expenditure of federal funds, in which he states that he is approving the Highway Commission's request for employment of labor forty-four hours a week on the Lamb Creek-Sheep Ridge Section of the Santiam Highway, in Linn County, only on the condition that the Highway Commission will not request authority to specify more than forty hours per week for labor employed on any other contracts.

The Secretary presented a letter from the United States National Bank of Portland in regard to payment of interest on demand deposits of public funds. It appears that, after June 7, 1937, according to the Federal Banking Act of 1935, Oregon banks are prohibited from paying interest on such deposits, but they are allowed to pay interest at the rate of one-half of one per cent per annum on time deposits of five thousand dollars or more.

The Engineer advised that this concerns the Coast Highway bridge funds that the Commission has on deposit in the United States National Bank. He suggested that it would be advisable to transfer all of the funds that are not needed to meet current payments in connection with the Coast Highway bridge construction, to a time deposit account, so as to secure interest thereon pending the closing of the entire accounts in September, and that the remaining funds be kept in the demand account so that they can be drawn out by check as needed. The Commission approved the suggestion by unanimous vote.

The Commission considered the application of Carl Abrams, Salem, for a permit to construct a four-inch water pipe line along the right of way of the Pacific Highway, a short distance north of Salem. The Secretary advised that this pipe line will be an extension of Salem's water system, which now ends a short distance north of the city limits, but the city is precluded from extending its pipe line by charter limitations; so the permit, if granted, will have to be issued either to Mr. Abrams as an individual, which is contrary to the established policy of the Commission in cases of this kind, or to a utility water district which he may organize. He requested instructions in regard thereto. The Commission decided to adhere to its present policy and instructed the Secretary to inform Mr. Abrams that the Commission will be glad to give a permit to the water district when it is formed.

The Commission also had under consideration the application of the Portland General Electric Company for permission to construct a pole line on the East Portland-Oregon City Highway at the south city limits of Portland, a portion of which is within the city limits and the balance outside the city limits. The Engineer advised that the Commission has jurisdiction over the highway outside of the city but does not have such authority within the city. He recommended the denial of the request in so far as it pertains to the section over which the Commission has control, because the poles would have a tendency to mar the attractiveness of the highway, especially in view of the fact that the Commission proposes to illuminate this section of the highway in the near future, which will involve the erection of additional poles. He also recommended that the city of Portland be informed of the Commission's requirements for such construction

on state highways and that the city be requested to require the company to comply with such rules and regulations where the lines are within the city limits, so that, in so far as is possible, this highway may be preserved in as attractive condition as possible. The Commission approved the Engineer's recommendations by unanimous vote and instructed him to take the matter up with the city officials.

The Commission by unanimous vote approved and signed the following agreements, deeds, et cetera:

Letter agreement with the Union Oil Company of California providing for the lease of a site for the storage of crushed rock or gravel in the city of Corvallis for use in connection with the state highway construction work in that vicinity.

Lease agreement with W. J. Walker and wife, providing for the use of a gravel pit containing 12.91 acres located near the Oregon Coast Highway at the Pistol River crossing in Sections 19 and 20, T. 38 S., R. 14 W., W. M., being a 20-year lease expiring February 10, 1957.

Memorandum agreement with contractors Kern & Kibbe disposing of their claim for extra compensation arising out of their contract with the Commission for the construction of the North Salem Undercrossing project, being state highway contract 1812.

Agreement with the A. F. Coates Lumber Company, Tillamook, covering the matter of lumber hauling on the Oregon Coast Highway, just north of the city limits of Tillamook.

Bargain and sale deed conveying unto the State Board of Forestry a small triangular-shaped parcel of land situate adjacent to the Wallowa Lake Highway, in Wallowa County, being outside of the standard 80-foot width highway right of way.

Three bargain and sale deeds conveying unto the Inman-Poulsen Lumber Company, Portland, certain property lying outside of the right of way of the East Portland-Oregon City Highway, between Seventeenth Avenue and Union Avenue, in the city of Portland, covering property located in Lot 1, Block C, Kern's Addition to East Portland; Lot 5, Block 70, Stephen's Addition to East Portland; and Lots 1, 2, 7 and 8 in Block D, Kenr's Addition to East Portland. These properties are being

deeded to the company in exchange for land acquired from the company for right of way for this highway, which is in conformance with the settlement approved by the State Highway Commission on December 1, 1936.

Bargain and sale deed, conveying unto the Southern Pacific Company two parcels of land, one being located in Lot 1, Block 1, Holgate Addition to the city of Portland; and the other in Lot 2, Block 2, in the same addition. This deed is being given to the company in exchange for right of way for the East Portland-Oregon City Highway across the company's holdings between Seventeenth Avenue and Union Avenue, in Portland.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:30 o'clock p. m.

[Signature]  
State Highway Engineer

[Signature]  
Secretary

Henry F. Cabell  
Chairman

[Signature]  
Commissioner

[Signature]  
Commissioner

Grants Pass, Oregon, May 16, 1937

The State Highway Commission met in special session at 9:00 o'clock p. m. in the Hotel Del Rogue. Present were:

Henry F. Cabell, Chairman  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
J. M. Devers, Attorney  
H. B. Glaisyer, Secretary

The Commission had under discussion matters pertaining to the adoption of a policy with respect to the affiliation of State Highway Department employees with labor union organizations, and in particular a letter prepared by the Engineer for distribution to such employees with the Commission's approval, expressing the Commission's attitude in regard thereto. The letter was discussed in detail and was tentatively approved. Final action thereon was deferred pending consultation with Commissioner E. B. Aldrich and Governor Charles H. Martin. (The letter was approved and released for publication on the following day.)

The Commission also discussed the matter of raising the rates of pay of men employed on section crews, oiling crews, paving crews, and stripe-painting crews to rates that conform to those being paid by highway department's in adjoining states and by local industries, for similar service. In this connection it was pointed out that men engaged on such work frequently lose time because of inclement weather and, as a result, during such periods they find it difficult to earn a sufficient amount to pay their grocery bills. It was the thought of the Commission that it might be advisable to increase the rate of pay of the men employed on such crews so that at the end of the working season they will have received an aggregate amount equal to that which they would have received if they had worked continuously at a lesser wage, notwithstanding that they would receive slightly more for their services on the hourly basis than others similarly employed on crews that are not affected by weather conditions. The Commission approved this solution of the problem subject to concurrence by Commissioner Aldrich, and referred the matter to the Engineer to work out the details. The Engineer was instructed to investigate in his study of the matter the effect of the cost of living and shorter hours of employment obtaining at the present time compared with those prevailing in 1929. He was also instructed to secure information from the highway departments of the adjoining states as to the salaries and wages that they are paying men employed in similar capacities, and to secure similar information from local industries so that a comparison of salary and wage rates can be made; also, to determine what is a fair differentiation between the rates of pay of men who are engaged in working intermittent hours compared with those who are engaged in work of a steady character. Report on this matter is to be rendered by the Engineer at a future meeting.

The Engineer reported on the cost to oil the strips between the pavement and the curbs for a distance of two or three blocks along the Pacific Highway in the town of Talent as has been heretofore requested by the City

Council. He estimated it would cost about \$2,400 to do this work but he explained that the city also wants some additional widening work done at the same time. He recommended approval of the project including the widening work, provided the City of Talent will pay in advance the cost of the improvement outside of the present right of way which he estimates would amount to about \$450. The Commission approved the recommendation by unanimous vote.

The Commission also had under consideration the Engineer's report on oiling "L" Street in Reedsport, (route of the Umpqua Highway), between 12th Street and 15th Street, as was requested heretofore by the City Council. He estimated that it would cost \$10,700 to do this work which consists of excavation, culvert installation, gravel topping, rearranging catch basins and manholes, furnishing and placing of mineral aggregates, and applying No. 3 road oil. He explained that this street is 80 feet wide but there are some buildings that encroach on the south side of the street so the oiling would have to be limited to 56 feet unless the city will move the buildings back which, they advise, they cannot do now because they do not have the money to pay for it. He also said that there are no curbs in place at the present time but he has been informed that the property owners will construct the curbs if the Commission will agree to do the oiling. The suggestion was made, in view of the high cost of the improvement and the shortage of state funds with which to match Federal Aid, that it would be best to defer the project until next year when it might be possible to do a better job, costing about \$25,000. The Commission approved the suggestion without definite commitment of funds and instructed Division Engineer K. D. Lytle, who was present, to convey such information to the Reedsport City Council.

The Engineer also advised that the Reedsport City Council wants the State to maintain the old connection between the Umpqua Highway and the Oregon Coast Highway along Winchester Street. He pointed out that the Commission is now maintaining a connection between these two highways from "L" Street to the approach to the Umpqua River Bridge and gave as his thought that it would be unwise for the Commission to maintain two such connections. The Commission concurred and instructed Division Engineer Lytle to so inform the Reedsport City Council. The Commission authorized the Engineer, however, to repair Winchester Street before turning it over to the City to maintain.

The Engineer reported a request from the Coquille City Council for the rerouting of truck traffic off Taylor Street to Willard Street on the west and Hall Street on the east. He pointed out that such diversion of traffic would simply mean that the State would have to maintain two highway routes through this town which is contrary to the established policy of the Commission. He recommended that the request be denied. The Commission approved the recommendation by unanimous vote and instructed Division Engineer Lytle to so inform the City Council.

The Engineer presented a report from Bridge Engineer G. S. Paxson of the State Highway Department and F. A. Felkert, Division Engineer of the Southern Pacific Railroad Company setting forth facts and conclusions in regard to the failure of the South Yamhill River bridge on the Pacific Highway West near Whiteson, Yamhill County, which occurred on Sunday, May 2, 1937,

when it was struck by a truck load of equipment owned by contractor J. C. Compton, McMinnville. He suggested that it would be proper to bill Mr. Compton and his insurance company for various items of expense that the State has incurred by reason of this accident, such as the cost of providing a timber trestle for the use of traffic temporarily during the period that a new bridge is under construction, flagmen, oiling of detours and any other extraordinary expense that the State incurs on account of the destruction of the old bridge. He also requested authority for the Attorney to present a claim to the contractor and the insurance company on such basis with power to negotiate settlement. After discussion, the Commission approved the request by unanimous vote and so ordered.

The Commission had under consideration the matter of snow removal from the Diamond Lake road between Union Creek and the junction with The Dalles-California Highway. The Engineer advised that the National Park Service is very anxious to secure the opening of this road so they can have access to the Diamond Lake resort at the earliest possible time. He estimated that it would cost about \$2,000 to remove this snow and gave as his thought that the United States Forest Service would assume such expense if the State Highway Commission would cooperate by furnishing one of its Snogos. The Commission appeared favorably inclined to this proposition but deferred definite action thereon until the following day when Commissioner Aldrich will be present, it being necessary to place this road on the State Highway System in order to legalize the State's contribution to this cause, which requires affirmative action by all three members of the Commission. The Engineer was instructed to ascertain definitely in the meantime whether or not the United States Forest Service is willing to assume the expense of this undertaking if the Commission will furnish a Snogo for the purpose.

The Commission adjourned at 11:00 o'clock p. m.

*[Signature]*  
State Highway Engineer

*[Signature]*  
Secretary

*[Signature]*  
Chairman

*[Signature]*  
Commissioner

Grants Pass, Oregon, May 17, 1937

The State Highway Commission conferred with the County Court of Josephine County and the Grants Pass Chamber of Commerce at 1:15 o'clock p.m. in the Redwood Hotel following a luncheon at the same place. Present were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
J. M. Devers, Attorney  
H. B. Glaisyer, Secretary

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Representing the Josephine County Court were County Judge Grant Matthews and County Commissioners H. S. Morgan and George W. Thrasher and County Engineer H. B. Brown. Representing the Chamber of Commerce were Messrs. George R. Riddle, President; C. H. Demeray, Chairman of the Transportation Committee; and J. R. Harvey, Secretary. Mr. Demeray was spokesman for the group.

He said that they have no fault to find with the Commission's program for construction as outlined by Chairman Cabell during the luncheon and they have no complaints to offer about the amount of money that is being expended for the construction of the Wolf Creek Highway between Portland and Seaside, but they are extremely desirous that the Commission bear in mind the improvements that are needed for the Pacific Highway between Grants Pass and Roseburg. Chairman Cabell replied that shortage of funds precludes the Commission from commencing the reconstruction of this section now. He explained that it is a costly project and the nature of the work requires that it be done in large sections which the Commission will not be able to finance until completion of some of the other costly jobs that are now under way.

County Commissioner Thrasher asked for the improvement as a Federal Aid Secondary Highway of a cutoff road into the Illinois Valley District between O'Brien and the Oregon Caves, through Waldo. He said that this is a very productive and prosperous valley without a good farm-to-market road connection and they would like to have the Commission's consideration. The Commission agreed to inspect this road later in the summer when in that vicinity.

Mr. Demeray asked for the completion of the Medford-Provolt Secondary Highway this year. He was informed that the Commission does not have sufficient funds to finance such work this year but will bear it in mind in the formulation of its Federal Aid Secondary Highway Program.

The conference was concluded at 1:40 o'clock p. m. after which the following matters were disposed of by the Commission enroute to Ashland.

The Commission, by unanimous vote, approved the minutes of the meetings held on December 16 and 17, 1936; January 7, February 17, 18, 19 and 20, and March 10, 1937.

The Attorney reported the cost of right of way needed for widening the Oregon Coast Highway through the town of Gold Beach. He estimated that such right of way, including land and the moving of numerous buildings, would cost about \$27,500. He also reported receipt of information to the effect that the Curry County Court is willing to furnish certain lands for this purpose if the Commission will agree to move back the buildings located thereon. The Commission deferred action on this matter pending a personal inspection of the property later in the summer. The Secretary was instructed to convey such information to the Curry County Court and the Gold Beach Chamber of Commerce.

The Commission had under consideration the matter of acquiring a maintenance site in the town of Newport. It appears that a suitable site can be acquired from the Lincoln County Court which has asked the sum of \$500 for

the same, but the question arises whether or not the Commission shall pay the County this \$500 or shall simply credit the County that amount on the County's indebtedness to the State for road construction purposes, which indebtedness amounts to about \$16,000. The Commission decided to ask the County Court to let this \$500 be applied on its debt. The Attorney was instructed to contact the County Court in regard thereto.

In the discussion of this matter it was brought out that the County Court is extremely anxious for additional improvements to the Siletz Secondary Highway. The suggestion was made that the County might be willing to pay the balance of its indebtedness to the State if the Commission would spend the money for the improvement of the Siletz road. The Commission approved the suggestion and decided to present the proposition to the County Court the next time it appears before the Commission. Chairman Cabell indicated his desire to inspect the Siletz Secondary Highway in company with the Engineer before the next regular meeting of the Commission on June 3.

Reconsideration was given to the matter of acquiring additional land adjacent to the Oregon Coast Highway at Otter Crest in Lincoln County for right of way and park purposes. In this connection a letter was presented from the State Parks Superintendent urging condemnation of the property if a satisfactory settlement can not be made with the owner, Mr. Wilbur Badley, at once. The Engineer recommended such procedure in two actions, one covering the right of way and the other covering the two parcels that are desired for park purposes. The Commission indicated its approval of the Engineer's recommendation but deferred action pending further study by Chairman Cabell. The matter was referred by the Commission to Chairman Cabell with full power to act.

The Commission had under discussion the matter of procuring from the State Land Board a deed to land along the Upper Columbia River Highway between the high and low water mark which is needed in connection with the building of the proposed new highway. The Attorney reported unsatisfactory negotiations with Lewis D. Griffith, Clerk of the State Land Board, relative to certain reservations which the Clerk wishes included in the deed. It appears that as soon as one change is made in the wording of the deed the Clerk asks for other changes and reservations which are aggravating and raises the question whether or not the changes have the approval of the State Land Board or simply originate with the Clerk. After some discussion and in view of the circumstances, the Commission decided that it might be better to discuss the matter with the individual members of the State Land Board. The Engineer was instructed to do this as soon as possible.

The Commission had under discussion the matter of oiling the Mills Bridge-Jordan Creek Section of the Wilson River Highway which is now under contract for surfacing. This section is 12½ miles long and it is contemplated that the surfacing will be completed by July 1, 1937. The Engineer recommended an expenditure of about \$8,281 of state funds to improve this section with an SC2 oil treatment to hold the rock surfacing in place pending construction of a standard O-11 type surface. The Commission approved the recommendation by unanimous vote.

The Commission had under consideration the written opinion of the Attorney in regard to the authority of the State Highway Commission to use State Highway Funds to match Federal Aid Funds that were made available for the construction of county roads as distinguished from primary or secondary state highways. The Attorney advised that he is unable to unqualifiedly advise the Commission that it has such authority although there are certain laws where such authority is implied. He suggested, on account of the uncertainty, that the Commission secure a declaratory judgment from the Supreme Court clearly defining the Commission's authority; and that Tillamook County be asked to initiate such proceeding naming the Highway Commission as defendant because there are certain roads in that county that the Commission wishes to improve under this program. The Commission approved the Attorney's suggestions by unanimous vote and authorized him to proceed accordingly.

The Engineer reported on the request of Herman Ledding, Milwaukie, that the Highway Commission furnish trucks for use in connection with sidewalk construction near the town of Milwaukie. He said investigation reveals that the sidewalk is to be constructed by Clackamas County on what is known as the River Road which joins the East Portland-Oregon City Highway just south of the Southern Pacific Undercrossing at Milwaukie and the work involves the filling in of considerable space to provide room for a sidewalk. He also said that the County Court has expressed its willingness to extend culverts and to furnish labor and materials as may be needed for the job if the Highway Commission will furnish trucks for hauling the materials for the embankment. He gave as his thought that, if the Commission wishes to cooperate in the project, its activity should be limited to the state highway right of way. The Commission concurred and ordered that Mr. Ledding be so informed.

The Commission considered and ordered filed a report from the Engineer on the cost to construct a bypass road through Forest Grove connecting the Tualatin Valley Highway with the Gales Creek county road as was suggested by the Forest Grove delegation at the previous meeting. He estimated that the construction of such bypass would cost about \$10,600 and that right of way needed for the same would cost an additional \$9,000. He pointed out that the suggested route contains numerous turns and suggested, if the Commission ever desires to consider a connection between these two roads, that it would be better to adopt a straight line route connecting the Tualatin Valley Highway at 7th Street with the Gales Creek Road about one-half mile north of Forest Grove which, in his estimation, would not cost a great deal more, if any.

A letter from Maintenance Engineer J. N. Bishop suggesting the adoption of a policy with respect to securing additional maintenance headquarters had the attention of the Commission. Mr. Bishop pointed out that the highway department now has 118 section crews operating throughout the state, only 44 of which are provided with state-owned headquarters. It was his thought that the state should own all of such headquarters rather than rent them as is now being done, and that at least 10 additional headquarters should be provided each year at a cost of approximately \$4,000 each as soon as the Commission can spare the money for the purpose. The Commission concurred in the viewpoint of the Engineer but deferred issuance of definite instructions in regard thereto until next year on account of shortage of funds, except that the Commission

ordered a report on the headquarters proposed for the Central Oregon Highway between Bend and Burns, in the vicinity of Brothers which, the Engineer stated, should be provided as soon as possible, and in connection with which it is proposed to construct an oasis for public convenience.

The Commission discussed the matter of purchase of additional equipment for use in connection with the Wilson River Highway and Wolf Creek Highway W.P.A. projects. The Engineer advised that at the present time the State is furnishing the following equipment on the Wolf Creek Highway project at a monthly rental cost of \$3,100: 5 caterpillar tractors, 2 bulldozers, 2 logging drums, 2 MacMillan Fresnos, and 1 compressor with jackhammers. He recommended that additional equipment be provided for this project as follows: 1 12-foot grader, 1 compressor and 1 rooter, all of which are now owned by the State Highway Department, at a total rental cost of approximately \$200 per month, and the purchase of 2 RD8 Diesel caterpillars with 12 cubic yard LeTourneaux, or equipment similar or equal thereto, at a price of \$26,000; 10 4-yard, 4-wheel drive dump trucks at a cost of \$40,000; 1 pick-up truck at a cost of \$500; and furnish the services of a mechanic and all repair parts for the state equipment during the present season at an estimated cost of \$14,500.00.

The Engineer also advised that on the Wilson River Highway project the State is now furnishing 1 compressor at a rental rate of \$100 per month and orders have been placed for 10 additional trucks at a cost of \$8,250. He recommended the purchase of additional equipment for this project as follows: 2 RD8 Diesel caterpillar tractors equipped with 12-cubic yard LeTourneaux, or equipment equal thereto, at a cost of \$26,000; 1 pick-up truck at a cost of \$500; and furnish all repair parts and the services of a mechanic for six months at an estimated cost of \$6,000. After a full discussion of this matter and consideration of the advisability of purchase of equipment rather than renting same, the Commission decided that it would be to the State's advantage to own the equipment that it is furnishing on these jobs and, accordingly, approved unanimously the recommendation of the Engineer in regard thereto. The Engineer was authorized to purchase said equipment upon requisition through the State Purchasing Agent.

In this connection the Commission considered a telegram from the Dump Truck Association, Portland, which objects to the Commission purchasing its own equipment for these jobs and demands that members of the Dump Truck Association, comprising 50 operators and 225 dump trucks, be given an opportunity to rent their equipment for these jobs so they can earn a livelihood and remain off the relief roll. After careful consideration, the Commission decided to adhere to its previous decision and purchase its own equipment notwithstanding this protest. The following telegram with respect thereto was approved by the Commission by unanimous vote and was ordered sent to the Dump Truck Association:

SAMUEL B WEINSTEIN  
DUMP TRUCK ASSOCIATION  
PUBLIC SERVICE BUILDING PORTLAND

COMMISSION GAVE CAREFUL CONSIDERATION TO YOUR TELEGRAM  
AND DECIDED THAT IT WAS TO BEST INTEREST OF STATE HIGHWAY

COMMISSION TO PURCHASE TRUCKS AS PLANNED AND AGREED UPON  
WITH WPA STOP QUICK ACTION NECESSARY TO OBTAIN EQUIPMENT  
IN TIME FOR EARLY SEASON GRADING WORK ON WOLF CREEK AND  
WILSON RIVER HIGHWAYS STOP THIS PREVENTS FURTHER DELAY  
FOR CONFERENCE WITH YOU AT JUNE MEETING

OREGON STATE HIGHWAY COMMISSION

The Engineer requested authority to purchase two pick-up trucks for use of the extra sign crew that is to start shortly erecting signs on county roads. He estimated that the trucks would cost a total of \$1,000. The Commission approved the request by unanimous vote.

Reconsideration was given by the Commission to the matter of employing someone to continue the activities commenced by A. W. Orton, Deputy State Treasurer, for the collection of fines which have been imposed for the violation of motor vehicle and traffic laws. The Commission referred this matter to the Attorney for investigation and to determine whether or not it is absolutely necessary that the person who carries on this activity should be connected with the State Treasurer's office and should work under the supervision of the State Treasurer.

The Commission had under consideration a letter from the Attorney requesting instructions with regard to the disposal of a certain house located on property that was acquired from Charles Wilson and wife between the Rogue River Bridge and Gold Beach, for right of way for the improvement of the Oregon Coast Highway in Curry County. It appears that this property was purchased in 1931 and that the house has been continuously occupied since that time although no rents have been collected. Further, that the house is in a dilapidated condition and is located outside of the standard width right of way and is one in which only persons in dire circumstances would care to live. The Attorney questioned that the State could collect more than \$2.50 or \$5.00 per month rental for the same.

In the discussion of this matter it was brought out that there is a possibility that the Commission could be held responsible and liable in the event that an accident should occur injuring someone on the premises, in view of which, the Commission decided not to permit anyone to use this house. The Attorney was instructed to convey such information to the present occupants and to give them a reasonable length of time, not exceeding six months, in which to vacate the premises.

Similar action was taken by the Commission on the matter of permitting a Mr. J. S. Morrison to occupy state property in the town of Charleston, Coos County. The Attorney advised that Mr. Morrison is over 70 years of age and has been on county relief for some time; that the house is located outside of the standard width right of way and that Mr. Morrison is occupying it upon authority of the Coos County Court which at one time owned the property. The Commission decided that if the Coos County Court will assume the responsibility and liability for accidents or injuries that may occur by reason of the occupancy of this building by Mr. Morrison, to let Mr. Morrison continue

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to live there in view of the fact that he is on relief, otherwise, he is to be given a reasonable time, not to exceed six months, to vacate the premises. The Attorney was instructed to contact the County Court relative thereto and secure its consent, in writing, to the assumption of the liability.

The Commission discussed its controversy with Mr. and Mrs. George Stonefield relative to right of way which the Commission acquired for the Oregon Coast Highway in the vicinity of Tenmile Creek, Lincoln County. The Attorney advised that when this right of way was acquired a deed was taken for additional land at this particular location so the Commission could have control of the area between the highway and the ocean but it now appears that the owners of the property had no intention of deeding this extra land to the state and did not know at the time the deed was given that the description included it; furthermore, a house has been constructed on the property and the owner alleges that he took particular pains before starting construction to secure from a representative of the State Highway Department the exact location of the highway right of way line because he wanted to make certain that his building would not encroach on the highway and would be far enough away from the highway so that it would not interfere with highway construction or maintenance or become a traffic hazard. The Attorney advised that the land on which the house is located is not needed for highway purposes, being outside of the standard width right of way, but the State Parks Superintendent wants to keep it as a part of his program for the preservation of the area between the highway and the ocean. On the other hand, the owner of the house wants title to the land on which the house is located. He also explained that there is no other available site on which to move the house.

After discussion the Commission decided to defer action on the matter pending consultation with the Parks Superintendent.

In this connection the Engineer was instructed to send a circular letter to all Division Engineers and District Maintenance Superintendents instructing them, when they encounter building construction close to highway rights of way, to stop such construction work until it is determined definitely whether or not it encroaches on the highway right of way and, if there is any uncertainty as to the right of way limits, to contact the legal department relative thereto.

The Engineer brought up for discussion matters pertaining to the construction of the Bear Creek-Talent Section of the Pacific Highway for which the Commission is to receive bids in the near future. He pointed out that the proposed improvement extends from Bear Creek near Ashland to a connection with the improved highway a short distance south of the town of Phoenix but, in order to provide a proper connection between the old and new improvements near Phoenix and to provide safe sight distance at this point, it will be necessary to reconstruct about 600 feet of good pavement. He recommended that this be done in the interest of safety to the traveling public. The Commission approved the recommendation by unanimous vote.

The Commission approved and signed a letter dated May 4, 1937, and directed "To Whom It May Concern" prohibiting persons holding property abutting

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on state highways from using the highway drainage ditches as places into which to drain cesspools and septic tanks. The Commission instructed the Engineer to see that this letter is distributed in mimeographed form to persons concerned through the channels of the Maintenance Engineer.

Reconsideration was also given by the Commission to the Engineer's letter regarding the affiliation of highway department employees with labor union organizations. The Commission by unanimous vote affirmed the letter, a copy of which follows, it having been previously approved by Governor Martin, and instructed the Engineer to see that each employee of the State Highway Department receives a copy of the same.

TO ALL STATE HIGHWAY DEPARTMENT EMPLOYEES:

In order to clarify the situation with reference to the National Labor Relations Act, popularly called the "Wagner Bill", will quote from Title 29, Section 152, Subdivision 2 of the National Labor Relations Act:

"The term 'employer' shall include any person acting in the interest of an employer directly or indirectly, but shall not include the United States or any state or political subdivision thereof."

The language of this act clearly recognizes the sovereign character of the states and definitely exempts states from any and all provisions of the act.

The Highway Commission does not give consideration in the employment, retention or dismissal of its employees to their membership in political parties, fraternal orders, their religious affiliations or labor union membership. It does not discriminate among its employees because of their membership or nonmembership in such associations. The department executives, as in the past, will hire, discharge and promote on the basis of merit and merit alone without dictation from any group.

Membership in union labor organizations must not involve participation in union activities if such activities interfere with the duties of the employee or be in any way inimical to the interest of the Oregon State Highway Department and/or the general public whom it serves.

The State Highway Engineer and his accredited representatives will not bargain with union labor organizations or their representatives regarding state highway employees but will, as the occasion arises, discuss all matters of wages and hours of employment with the individual employees.

R. H. Baldock  
State Highway Engineer  
BY ORDER OF THE  
OREGON STATE HIGHWAY COMMISSION

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Reconsideration was also given by the Commission to the matter of maintaining city streets in Portland that are designated state highway routes, and the proposed agreement with the City of Portland relative thereto. The Attorney presented a form of agreement covering the matter, the provisions of which were discussed by the Commission at considerable length and were approved subject to a few minor alterations. The Attorney was instructed to redraft the agreement and present it to the Portland City Commission for approval and execution. The Commission decided to assume the maintenance of such city streets provided the City Commission accepts the provisions of the agreement.

The Engineer reported with respect to a conference held in the office of the Public Utilities Commissioner for a discussion of the subject of log hauling on state highways. He said that attending the conference were Senator Franciscovich, representing certain of the log haulers; members of the Public Utilities Commissioner's staff; and J. M. Devers, Attorney, and himself, representing the State Highway Commission. He advised that the Public Utilities Commissioner is of the opinion that he is without authority to cancel a permit with respect to one vehicle of an offending operator but has authority only to cancel the entire permit which would take out of operation all vehicles covered by the permit; so it was suggested, and the suggestion met with the approval of all parties present, that, when an operator is charged with sufficient violations with respect to any vehicle to warrant discontinuance of operation with respect to that vehicle, the Highway Commission give the offending operator the privilege of taking the vehicle out of operation for a period prescribed and, if he agrees to do so, the Public Utilities plates are to be taken off the equipment by the operator and deposited with the representative of the Highway Department to be held by such department until the period of suspension has expired, after which they are to be returned to the operator who would then be permitted to renew operations with that vehicle. If, however, the offending operator refuses to take out of service the equipment involved in the violation, then the Commission is at liberty to recommend to the Public Utilities Commissioner that the permit of such operator be cancelled, which cancellation would carry with it all of the vehicles operating under the permit. He also advised that he told those present that he would bring the proposed plan to the attention of the Highway Commission for its consideration and, if the Commission approved, notice of such approval would be transmitted to the parties attending the conference.

The Commission, after due consideration, approved the plan suggested and directed the Engineer to so advise the Public Utilities Commissioner and the other interested parties who attended the conference. The Commission instructed the Secretary and the Engineer, in handling violations by log haulers with respect to state highways, to proceed in harmony with the above defined plan.

At 5:00 o'clock p. m. the Commission deferred further consideration of routine matters until the following morning.

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Ashland, Oregon, May 18, 1937

The State Highway Commission reconvened in the Lithia Hotel with all members, the State Highway Engineer, the Attorney and the Secretary present.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He presented a list of such properties and the prices that he recommended be paid for each. After careful consideration of each item in the list the Commission approved the Engineer's request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as herein-after more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Alsea-South Fork Section, Alsea-Deadwood Highway</u>				
3922-Welch, E. H.	R/W	0.038	\$200 per a. plus \$5.25	Gardiner
3838-Welch, Jessie	R/W	0.038	\$200 per a. plus \$14.75	"
<u>Stanfield-Pendleton Section, Old Oregon Trail Highway</u>				
4575-Rew, Roy	Filler Pit	1.49	\$35 per acre	Wells
4577-Meyers, Claude O.	" "	1.75	\$35 per a. plus \$10.00	"
<u>Little Nestucca River-Neskowin Section, Oregon Coast Highway</u>				
4668-Tillamook County	R/W	6.80	\$1.00 Lump Sum	McChesney

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
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Albee-Ukiah Section, Pendleton-John Day Highway

4624-Ely, Charles L.	R/W	0.84	\$15 per a. plus \$110.50	Wells
4608-Schmidt, Peter H.	Borrow Pit	6.53	\$10 per acre	"
4621-Cole, A. A.	R/W	0.27	Gratis, plus moving fence	"
4626-Cunningham Sheep & Land Company	"	2.55	\$15 per a. plus \$218.00	"

Forest Grove Section, Tualatin Valley Highway

4517-City of Forest Grove	Maintenance Site		City lot \$250, lump sum	DeSouza
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Short Sand Beach Creek Section, Oregon Coast Highway

4617-Huntley, G. E.	R/W	0.07	\$30 per acre	McChesney
4614-Damitio, A. A, and G. E. Huntley	"	1.47	\$30 per acre	"

South Salem Section, Pacific Highway (Illahee)

3823-Cornforth, Belle	R/W	1.666	\$500 per a. plus \$167.00	McCallister
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Shedd-Halsey Section, Pacific Highway East

4508-Davis, W. B.	Borrow Pit	0.94	\$100 per a. plus \$31.00	Benson
4509-Shedd, C. J.	" "	0.65	\$100 for land, plus \$25.00	"

Weston-Elgin Section, Weston-Elgin Highway

3940-Union County	R/W	0.84	Gratis	Wells
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Whiterock-Valley Falls Section, Fremont Highway

3371-Gilson, Mary E.	R/W	6.15	\$10 per acre	Gardiner
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Buell-Salt Creek Section, Dallas Coast Highway

4490-Cruickshank, David	Gravel Pit	9.81	\$75 per acre	Benson
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Middleton-Newberg Section, Pacific Highway West

1560-Wiebus, Earl	R/W	0.071	\$35 lump sum	Collins
1540-Miller, J. A.	"	0.012	\$50 " "	DeSouza

Multnomah County Line-Middleton Section, Pacific Highway West

4640-Fisher, William	R/W	165 sq.ft.	1 1/2 per sq.ft.	McChesney
4639-Fisher, Wm.	"	0.029	\$500 per a. plus \$38.00	"
4638-Siege, Anna L.	"	0.065	\$500 per a. plus \$10.00	"

Eddyville-Toledo Section, Corvallis-Newport Highway

4598-Bradbury, Frank	R/W	0.07	\$15 lump sum	McCallister
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Gales Tunnel Section, Old Oregon Trail Highway

4613-Feldenheimer Investment Company	Gravel Pit	2.62	\$10 per acre	Parker
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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Bear Creek-Talent Section, Pacific Highway</u>				
4567-Thornily, Harold	R/W	4.28	\$200 per a. plus \$876.60	Gardiner
4570-Staska, Josephine M.	"	1.97	0.4 a. at \$50 per a. 1.57 a. at \$80 per a. plus \$258.50	"
4541-Schiezel, Emil	"	2.34	\$100 per a. plus \$41.90	"
<u>Otis-DeLake Section, Oregon Coast Highway</u>				
(1) 4664-Underdahl, Leif	Sand Pit	8 Lots	6 mos. lease-gratis	McChesney
(2) 4664-Underdahl, Leif	"	4 Lots	6 mos. lease-gratis	"
<u>Elkton-Drain Section, Umpqua Highway</u>				
4593-Joseph, Bertha L.	Stock Pile	1.14	\$200 lump sum	Benson
<u>Burns-Buchanan Section, Central Oregon Highway</u>				
3605-Harney County	R/W	7.00	Gratis	McCallister
3611-Harney County	"	1.36	"	"
<u>City of McMinnville Section, Pacific Highway West</u>				
3800-Farmer, F. M.	R/W	3.07	\$250 per a. plus \$963.00	Collins
<u>Rainier Section, Lower Columbia River Highway</u>				
4024-Williams, Glen W.	Easement	440 sq.ft.	Gratis	Gardiner
<u>Fossil-Kinzua Junction Section, John Day Highway</u>				
3749-World War Veterans' State Aid Commission (Byrd Farleigh)	R/W	5.95	\$100 per a. plus \$770.00 plus moving	McCallister
<u>Sunset Camp-Clatsop County Line, Wolf Creek Highway</u>				
343-Western Timber Company	R/W	46.00	\$25 per acre	
		20.99	Gratis, plus \$26,886.42	Devers
<u>Multnomah County Line-Middleton Section, Pacific Highway West</u>				
4642-Day, Emma R.	R/W	1.82	\$500 per a. plus \$600.00	McChesney
<u>Gales-Tunnel Section, Old Oregon Trail Highway</u>				
4502-Roach, Thomas	R/W	0.54	\$10 lump sum	Wells
<u>City of McMinnville Section, Pacific Highway West</u>				
3795-Farmers' Co-operative of Yamhill County	R/W	1.85	Exchanged for 2.06 a. (to be purchased for \$618) plus \$200, and moving building	Collins

In regard to the right of way needed for the Short Sand Beach Creek Section of the Oregon Coast Highway the Commission authorized the taking of

options on all of the land lying between the highway and the ocean beach with a view in mind that this property should also be acquired in order to preserve it for general public enjoyment.

In regard to the purchase of the C. J. Shedd property which is needed for borrow pit purposes along the Shedd-Halsey Section of the Pacific Highway in Linn County, the Commission instructed the Attorney to make the conditions of this purchase the subject of a special agreement between the Commission and Mr. Shedd and not to include the conditions in the deed.

Relative to the acquisition of right of way from the Western Timber Company for the Sunset Camp-Clatsop County Line Section of the Wolf Creek Highway the Commission approved the settlement effected by the Attorney in all respects except as to the price per acre for land. There was a question whether or not the previous agreement with the company called for the payment of \$25/ac for land without timber. The Commission referred this matter to Chairman Cabell with authority to pass on the same.

The Attorney reported that in connection with various projects previously authorized by the Highway Commission it would be necessary to institute condemnation proceedings in order to acquire such properties at reasonable prices. He submitted a list of such properties and asked the Commission to authorize condemnation if further negotiations reveal that necessary. The Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to-wit:

West Portland-Tualatin Section of the West Portland-Hubbard Highway  
Bear Creek-Talent Section of the Pacific Highway

land and property owned by or in possession of the following parties and/or persons, to-wit:

West Portland-Tualatin Section of the West Portland-Hubbard Highway

Payson R. Dohs  
L. W. Hartley  
Doris F. Robinson

Bear Creek-Talent Section of the Pacific Highway

Viola Pearl Williams  
J. W. Lytton and Inez Lytton  
R. P. Neil  
Stephen G. Nye and Anna E. Nye  
William Bruin and Hattie Bruin  
O. H. Adams  
G. T. Stoddard

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage if there

be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

A delegation from Ashland representing the Ashland Chamber of Commerce and headed by Mr. Frank J. Van Dyke, President, conferred with the Commission in regard to several road matters including improvements to the Green Springs Highway and the elimination of the turn in the Pacific Highway at the Plaza Corner in Ashland. Mr. Van Dyke said that, while the Green Springs Highway improvement is not of first importance to them, it is of vital importance to their part of the state as an arterial highway, being an important commercial road for use in exchange of products between communities. The Engineer advised that to reconstruct this highway to modern standards is a costly proposition which the Commission is unable to finance at the present time. He pointed out that the Commission has already spent a considerable amount of money to provide temporary improvements to this road but it has done about all that it possibly can without getting into a high cost project. Furthermore, the Bureau of Public Roads will not approve an expenditure of federal funds for any more construction on a temporary basis. Chairman Cabell gave as his thought that the Commission should concentrate on the Siskiyou Section of the Pacific Highway before it starts on another costly project. The members of the delegation indicated their approval of such plan.

The delegation then asked for the improvement of the Pacific Highway at the Plaza Corner in Ashland including the realignment of the street to eliminate the existing sharp turn at this location. The Engineer advised that it would cost about \$18,000 to construct this line change and an additional amount of about \$40,000 for right of way. He doubted that the Commission would approve the project because the cost of right of way is so great in proportion to the cost of construction, and gave as his thought that the benefits that would accrue to traffic would not justify the expenditure. He advised that he could not recommend the project to the Commission on the basis of need for traffic.

Chairman Cabell stated that it would be impossible for the Commission to undertake this project now because of right of way costs. He gave three reasons for this decision: (1) There is very little state money unobligated and all of the state funds are needed to match federal aid monies, the Commission being reluctant to pay out so much state money for right of way while it is needed so badly for other purposes; (2) The Commission wants to provide as much employment as possible. In this connection he pointed out that every dollar that is spent by the Commission for construction provides a certain

amount of employment whereas no employment is furnished for expenditures made for right of way. (5) The people of Portland are constantly urging the Commission to build arterial highway connections in Portland and the Commission's argument against this is that it is not doing such things elsewhere. Such argument, he added, would be broken down if the Commission undertakes the Ashland project. It was his thought that this project could not be programmed for at least two or three years at the earliest.

County Commissioner Ralph Billings inquired as to the status of the proposed Ashland undercrossing landscaping project. The matter was referred to the Engineer for investigation.

He also inquired as to the status of the roadside development project at a place known as Birdseye Springs on the Pacific Highway about two miles south of the town of Rogue River. In the discussion of this matter it was brought out that the improvement involves acquisition of additional land to make a satisfactory improvement but difficulties have been encountered in securing such property. The Commission authorized the Attorney to institute condemnation proceedings to acquire the needed property if it can not be acquired at a reasonable cost otherwise.

The meeting was adjourned at 9:45 o'clock a. m., following which the Commission inspected the Plaza Corner with members of the delegation and then proceeded to Medford for a conference with the Jackson County Court.

Medford, Oregon, May 18, 1937.

The Commission conferred with the County Court of Jackson County and a delegation of citizens of Medford at 10:30 o'clock a. m. in the Jackson County Courthouse, all members of the Commission being present and participating. Also present were the State Highway Engineer, the Attorney and the Secretary. Representing the County Court were Ralph Billings and L. O. Caster, Commissioners; and Paul B. Rynning, County Engineer. Others present were George W. Porter, Mayor of Medford; F. W. Scheffel, City Engineer; C. E. Gates; O. Arnspeker, President, Jackson County Chamber of Commerce; and Ray Schumacher, Secretary, Talent Chamber of Commerce. Mr. Billings presided and introduced the speakers.

Mr. Arnspeker asked the Commission to authorize snow removal operations on the Union Creek-Diamond Lake road. He was informed that the Commission has already decided to do this work in cooperation with the United States Forest Service and that the work will commence at once.

Mr. Gates asked for additional improvements on the Little Butte Creek Secondary Highway leading to the Lake-O'-The-Woods. He recalled that the former Highway Commission at one time promised to undertake this project as its next secondary highway project in Jackson County following completion of the Sam's Valley Secondary Highway but such promise was never kept and the road is still in an uncompleted condition, making it necessary for people to travel an additional 24 miles in order to get to the Lake-O'-The-Woods district, which is one of the finest resort and recreational districts in the

state. He advised that the westerly end of this road is now in pretty fair condition as is also the easterly end but there is a section in between that is impassable. He urged the Commission to continue the improvement from the west end to the top of a certain hill and advised that, if the State will do this, the United States Forest Service will grade beyond this point to a connection with the good road at the easterly end. If this work is done, he added, it will reduce the driving time from Medford to Lake-O'-The-Woods from two hours to about one and one-half hours. He reiterated that they would be satisfied if the Commission would construct to the top of this certain hill. He pointed out that Little Butte Creek Secondary Highway is a possible route for a shortcut highway between Medford and Klamath Falls, having the advantage over the present route of being shorter and passing over only one summit. Furthermore, it is not a very expensive route to construct.

The State Highway Engineer explained that when the former Highway Commission had its understanding with the Jackson County Court in regard to secondary highways it fully intended to carry out the agreement but was precluded from doing so by action of the Legislature which reduced the amounts to be expended for secondary highway projects from more than \$1,000,000 to \$450,000, which was barely enough to properly maintain the roads on the Secondary Highway System. He gave as his thought that the present Commission should consider this understanding in its future deliberations and should carry out the provisions thereof when it is financially able to do so.

Chairman Cabell explained that the Commission included in its P.W.A. program a sum of money for this road but found it necessary to give up such program because of the new rules and regulations that were formulated to cover the expenditure of P.W.A. funds.

Mr. Gates then asked that this road be improved as a Federal Aid Secondary Highway. The Commission agreed to give it consideration in the formulation of its program for such roads but made no definite promises in regard thereto. The Commission agreed to inspect this road in company with Mr. Gates the next time it is in that vicinity.

Mr. Rynning inquired as to how many roads the Commission proposes to include in the Federal Aid Secondary Highway System and if a certain amount of money would be allocated to each county regardless of the number of miles of county roads that were included in such system in each county. He explained that under the present system of state maintenance of secondary highways Jackson County's secondary roads are not being maintained in as good condition as they were when they were under the county supervision and there is a question in his mind whether or not it would be advisable for the county to turn over a large mileage of county roads for the new Federal Secondary System. Chairman Cabell explained briefly the rules and regulations covering the Federal Aid Secondary Highway setup. He advised that there is a question as to the legal authority of the Commission to expend state money on county roads that are included in this system and that the matter is now being investigated and the Commission should know its authority within a comparatively short time. He pointed out that there is a possibility that the counties will have to furnish the match moneys in the event that the Commission could not use

state money for such purpose, although state funds would be used if at all possible. He added that right of way for improvement of these county roads must be acquired by the counties.

Mr. Scheffel inquired whether or not the Commission intends to improve the intersection of the Crater Lake Highway with East Main Street in Medford. He was informed by the Engineer that the Commission has approved such project and that construction of the same would proceed as soon as possible. The Commission confirmed such statement.

Mr. Schumacher inquired as to the prospects of securing the oiling of the shoulders adjacent to the Pacific Highway pavement through the town of Talent and for the construction of a wye connection from their town to the new location of the Pacific Highway. He was informed that the Commission has already approved the oiling work which will be done at state expense but if the town wants the street widened the extra work will have to be paid with city funds. As to the wye connection, he was informed that the Commission feels that the present highway through Talent will serve the purpose very nicely, hence it will be necessary to deny the request in that respect.

The conference was concluded at 11:30 o'clock p. m. following which the Commission disposed of a number of routine matters.

The Engineer reported that on May 5, in accordance with authority previously granted him by the Commission, he awarded to the Mountain States Construction Company the contract for grading and paving the Middleton-Votaw Section of the West Side Pacific Highway in Washington County, for which this company submitted the low bid of \$53,517.00 on April 27, the conditions of the award having been satisfied. The Commission by unanimous vote approved the award of this contract as reported.

The Attorney reported that in reading over the minutes of the Commission meeting held on January 16, 1931, relating to the designation as state highways of certain roads in Multnomah County, he noticed that the resolution covering such matter was adopted by the Commission when there were only two members of the Commission present. He advised that the law requires that for the adoption of a state highway all three members of the Commission must be present and the vote must be unanimous and, if it is impossible to get a unanimous vote, then the Governor may vote instead of the dissenting Commissioner. He suggested, therefore, that the present Commission confirm the action of the former Commission by re-adopting the resolution which would legalize the designations, inasmuch as all three members of the Commission are present at this time. The Commission approved the suggestion and confirmed the action of the former Commission. The following resolution in regard thereto, being identical in every respect to the resolution heretofore adopted by the former Commission on January 16, 1931, was thereupon adopted by the Commission by unanimous vote upon motion of Commissioner Aldrich which was duly seconded by Commissioner Tou Velle:

WHEREAS, on January 16, 1930, the Commission at a duly and regularly called meeting adopted and entered in its minutes a resolution

by which the Commission pursuant to a request made by Multnomah County, through its Board of County Commissioners, took over control and jurisdiction of and made a part of the state highway system the following county road or highway, to-wit: "The Columbia River Highway from the east city limits of the City of Portland, by way of Sandy Boulevard through Troutdale to the Hood River County line", which said road comprised a distance of 39.4 miles, and

WHEREAS, in and by said resolution the Commission resolved and declared that it is the "policy and purpose of the Oregon State Highway Commission to at such times as in the judgment of the Commission may seem best and most propitious, to take over and adopt and designate as state highways the other arterial highways in Multnomah County which are connecting links between the state highways entering Multnomah County on the present existing routes and under conditions consistent with the conditions under which the Columbia River Highway has been taken over", and

WHEREAS, there has been filed with the Commission by the Board of County Commissioners of Multnomah County a resolution requesting the Highway Commission to take over and designate as state highways certain roads specifically named in said resolution, which said resolution has been entered in the minutes of the Commission at pages 2886 and 2887 recorded as of January 16, 1931, and to which resolution specific reference is now made and by such reference said resolution is made a part hereof, and

WHEREAS, in the judgment of this Commission it is equitable, just and for the best interests of the general public that said request of the Board of Commissioners of Multnomah County be granted and that the roads designated in said resolution and hereinafter specifically named and defined be taken over by the State Highway Commission and be designated as and made a part of the Oregon State highway system.

THEREFORE, BE IT RESOLVED that the following county roads or highways in Multnomah County be and the same and all of them hereby are adopted and designated as state highways and are by this act and record made parts of the state highway system and therefore subject to improvement and maintenance out of state highway funds to the same extent and in the same manner as are other state highways. The roads or highways so declared to be and hereby adopted and designated as state highways are the following:

Lower Columbia River Highway between the Columbia-Multnomah County line and the north city limits of Portland, a distance of 8.78 miles;

Mt. Hood Highway from the east city limits of Portland, by way of Powell Valley Road through Gresham, to the Multnomah-Clackamas County line, a distance of 13.12 miles;

Pacific Highway from the junction of Denver and Union Avenues south of the Oregon Slough Bridge by way of Union Avenue to the north city limits of Portland, a distance of 1.95 miles;

Pacific Highway between the south city limits of Portland and the Multnomah-Clackamas County line, a distance of 2.28 miles;

West Side Pacific Highway (Capital Highway) from the Washington-Multnomah County line, through Multnomah and Bertha, to the west city limits of Portland, a distance of 4.24 miles;

Bertha-Beaverton Highway from the Washington-Multnomah County line to the junction with the West Side Pacific Highway at Bertha, a distance of 2.42 miles;

Tualatin Valley Highway (Canyon Road) from the Washington-Multnomah County line to the west city limits of Portland, a distance of 1.7 miles.

BE IT FURTHER RESOLVED that before the said adoption and designation shall become effective the Board of County Commissioners of Multnomah County shall furnish to the State Highway Commission the following records, to wit:

1. All maps, profiles and other engineering data relating to location, construction and maintenance, plans of bridge structures, and such other records as may be designated by the state highway engineer.

2. Copies of all franchises for telephone, telegraph and power pole lines or pipe lines, underground conduit or any structures, and all licenses or other permits which have been granted by the Board of County Commissioners with respect to said highway, and in the event that any conditions or privileges embodied in any of said licenses, permits or franchises are not in harmony with the terms and conditions of franchises granted by the State Highway Commission, then Multnomah County shall revoke or recall the same at the request of the State Highway Commission.

3. A map on which shall be shown the width of right of way dedicated to public use and said Board of County Commissioners shall guarantee to the state an uninterrupted use and unqualified right to occupy the said right of way for highway purposes, and in the event that the public's right to said right of way or any part thereof is challenged the county agrees to protect the state against any such challenge.

BE IT FURTHER RESOLVED that the date upon which the said records shall be transferred and the date upon which the said highways shall be deemed to be state highways shall be March 1, 1931.

The Attorney pointed out that the readoption of this resolution automatically replaces on the state highway system the section of the old West Side Pacific Highway between Bertha and the Multnomah-Washington County line which was abandoned as a state highway on September 6, 1935. He advised that unless the Commission desires to retain this section on the highway system it would be proper at this time to readopt the resolution abandoning the same. The Engineer advised that the highway has been reconstructed on new alignment and the old section is no longer needed for state highway purposes. He recommended that it be turned back to Multnomah County to maintain or dispose of as it sees fit. The Commission approved the recommendation and thereupon by unanimous vote readopted the said resolution of September 6, 1935, abandoning the same as a state highway, which said resolution reads as follows:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the West Side Pacific Highway in Multnomah County; namely the section of the West Side Pacific Highway beginning at the junction of the Bertha-Beaverton Highway and the West Side Pacific Highway at Bertha and extending to a connection with the new Fourth Street route at the Multnomah-Washington County line; and

WHEREAS, by reason of said relocation and reconstruction of said section of said highway there was eliminated and made unnecessary as a part of the permanent and completed highway a certain section or part thereof, which section or part is more specifically defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission its purpose and plan to abandon as a part of the West Side Pacific Highway in Multnomah County the fragment or portion of right of way of the old highway hereinafter described;

NOW, THEREFORE, the premises being in general as above stated, it is hereby resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land comprising a portion of the old right of way of the West Side Pacific Highway in Multnomah

County, which fragment of land is confined within the area herein-after described, and which area has been eliminated from the newly located and constructed West Side Pacific Highway in Multnomah County; namely, the section of the West Side Pacific Highway beginning at the junction of the Bertha-Beaverton Highway and the West Side Pacific Highway at Bertha and extending to a connection with the new Fourth Street route at the Multnomah-Washington County line, be and said discarded right of way and fragment of land hereby is abandoned as a part of the right of way of the West Side Pacific Highway, and said abandoned right of way or area, in so far as control or supervision of the same by this Commission is concerned, is left to revert to the adjoining or abutting property owners or to the control and supervision of the County Court of Multnomah County for highway or other public purposes as said County Court may determine. The limits of said abandoned portion of the right of way and the area thereof are described as follows, to wit:

(For description see pages 5854 and 5855 of the minutes of September 6, 1935, entered in Volume XX Part 1 of the minute book)

In addition to the foregoing description of said abandoned right of way there is attached hereto a blueprint or map, marked "Exhibit 'A'", and by this reference made a part hereof, upon which map or exhibit there is shown shaded in red the abandoned section of highway, along which area appear the words "abandoned section", and which exhibit for identification bears the signatures of R.H. Baldock, State Highway Engineer, and W. E. Chandler, Division Engineer, and bears date of July 9, 1935.\*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said state highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Multnomah County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned portion of the right of way of said West Side Pacific Highway

\* Map filed in Abandonment and Retention Resolution file - No. 30

be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Multnomah County and beyond any responsibility or supervision by the State Highway Commission.

The Commission considered and ordered filed an editorial from the Engineering News-Record of April 22, 1937, commenting on the action of the City Council of the City of Cincinnati which has adopted a policy of financing public improvements with city funds rather than with P.W.A. funds because of the new ruling of the Federal Government that the amount of federal grant that will be approved for any particular P.W.A. project will depend on the amount of relief labor that is used on such project.

The Commission had under consideration a communication from the Artisans Life Association requesting the privilege of contacting the employees of the State Highway Department relative to furnishing insurance under the group plan. The Secretary advised that this association is now furnishing group insurance for a number of employees in the Astoria and Tillamook districts; that these employees made their own arrangements for such insurance and are paying their own premiums through one of their number who is acting as their agent and according to the representative of the insurance association, the plan is working out very nicely because it is giving each of these employees a maximum amount of insurance at low cost. He further advised that the association now wants to expand its activities to include all of the State Highway Department employees, if possible, if the Highway Commission has no objection. The Commission indicated a favorable attitude to any arrangement that would work to the benefit of employees of the Department, and authorized the Secretary to inform the Artisans Association that the Commission would have no objections to the association furnishing group insurance covering additional Highway Department employees, provided such employees will make their own arrangements for the insurance and for the payment of the premiums thereon, as is now being done by the employees in the Astoria-Tillamook District.

The Engineer reported that the Prairie City-Unity Junction Section of the John Day Highway on which a reduced load limit has been in effect for a number of weeks, has sufficiently dried out and stabilized to permit legal weight loads. He recommended the lifting of such reduced load limit at this time. The Commission approved the recommendation and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, on the tenth day of March 1937, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway:

JOHN DAY HIGHWAY from Prairie City in Grant County to its junction with the Baker-Unity Highway in Baker County.

and

WHEREAS, subsequent to the passage of said resolution conditions

have changed so that it is no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limits set out in said resolution on the said state highways;

NOT, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

JOHN DAY HIGHWAY from Prairie City in Grant County to its junction with the Baker-Unity Highway in Baker County,

be and the same is hereby rescinded, and cancelled as of this date, and the maximum load limit permissible on the said sections of the said highways hereafter shall be the maximum load limit provided by law; and it is further ordered that a certified copy of this resolution be furnished to the county clerk of each county in which said highways are located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

Dated this eighteenth day of May, 1937.

The Engineer also recommended the posting of a number of bridges for reduced load limits. He said that these bridges are incapable of safely carrying legal limit loads, in fact, it was planned to rebuild some of them in the P.W.A. and the deferred Federal programs but the work had to be postponed because of the new rulings. He asked the Commission to authorize the posting of these bridges for reduced loads. The Commission approved the request and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, the roads or highways hereinafter named have been designated and declared to be and are State Highways and have been improved and are being maintained by the State Highway Commission, pursuant to the laws of the State of Oregon as state highways;

AND WHEREAS, on each of the said state highways and on all of them there are located certain bridge structures which, in the judgment of the State Highway Commission, are incapable of safely carrying the traffic to which they are being subjected, and in order to protect said bridge structures against damage and injury and in order to safeguard traffic over said bridge structures it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said bridge structures and each of them and of the traffic which uses the said bridge structures that the maximum weights now permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has, after due investigation, determined and found and it is the judgment of the Commission that the maximum gross loads which shall be permitted upon

any single span of any of the said structures at any time shall be reduced and fixed as in this order provided.

NOW THEREFORE, the premises being in part as above stated and the State Highway Commission having as a result of due investigation found that the bridge structures above referred to and hereinafter designated are incapable of safely sustaining or supporting a total gross load in excess of that specified in the tables given hereinbelow;

IT IS HEREBY ORDERED, that the total gross weight of combined load and vehicle which at any one time shall be permitted upon any single or individual span of the bridge structures hereinbelow designated shall not exceed the limits given and set forth hereinbelow. In computing the total weight of any single vehicle, the total gross weight of any trailer or trailers attached to said vehicle shall be considered as a component part of the total gross load and shall not be considered as a separate vehicle. This combined gross weight shall not exceed the limits given hereinbelow, to wit:

JOHN DAY HIGHWAY		
5-105.70	North Fork John Day River Bridge	10 tons
NEHALEM SECONDARY HIGHWAY		
102-03.2	Walluski River Bridge	10 tons
102-60.2	Nehalem River Bridge	10 tons
ALBANY-LYONS SECONDARY HIGHWAY		
211-15.5	Thomas Creek Bridge	8 tons
COOS RIVER SECONDARY HIGHWAY		
241-02.1	Catching Slough Bridge	5 tons
LITTLE NESTUCCA SECONDARY HIGHWAY		
130-05.3	Little Nestucca River Bridge	5 tons
130-06.4	Little Nestucca River Bridge	5 tons
SERVICE CREEK-MITCHELL SECONDARY HIGHWAY		
390-00.5	John Day River Bridge	10 tons

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Section 83 of Chapter 360, Oregon Laws 1931, Section 55-2707 Oregon Code 1935 Supplement, shall be in full force and effect from the eighteenth day of May, 1937, until rescinded, modified or revoked by order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named bridge structures, so that said notice can be readily seen and read, which

notice shall state plainly the limitations and prohibitions of the traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the county clerk of each county in which any of said highways are located, and that a certified copy of said order be furnished the Superintendent of the Department of State Police for his information.

Dated this 18th day of May, 1937.

The Secretary presented a resolution from the County Court of Curry County requesting the Commission to reallocate the Federal monies, amounting to \$10,000, heretofore reserved for financing the construction of the so-called Port Orford Dock Road, to improve a one-mile section of the county road, known as the Squaw Creek Road, extending from the Oregon Coast Highway about three miles north of Wedderburn, easterly, a distance of about one mile to a junction with the county road which extends up the Rogue River. The Commission approved the request by unanimous vote, it being in conformance with the action taken by the Commission at its meeting on April 26, 1937. The Engineer was authorized and instructed to ask the Bureau of Public Roads to approve such transfer of funds.

The Commission considered resolutions from the Malheur County Court requesting the rearrangement of the secondary state highways in Malheur County, as follows:

Removal of the Homedale Spur-Malloj Ranch Section of the Jordan Valley Secondary Highway from the Secondary Highway System and substitution therefor of the following described road or route: Beginning at Hooker Creek on the secondary state highway about 5.3 miles north of the town of Jordan Valley and extending thence in a southerly and southwesterly direction to the Nevada State Line, via Rome and Blue Mountain Pass.

The Commission approved the request and, by unanimous vote, upon motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle, adopted the following resolutions in regard thereto:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Malheur County Court of the State of Oregon, has heretofore selected and regularly adopted, as provided by law, the Jordan

Valley Secondary Highway No. 450, and

WHEREAS, it is now the intention of the State Highway Commission, by mutual agreement with the Malheur County Court of the State of Oregon, to eliminate and remove from the system of secondary state highways, under the provisions of Chapter 196, Oregon Laws of 1935, the hereinafter described section of the Jordan Valley Secondary Highway No. 450, and

WHEREAS, it is mutually understood and agreed by the State Highway Commission and the Malheur County Court of the State of Oregon that from and after the adoption of this resolution by the State Highway Commission, the hereinafter described section of the Jordan Valley Secondary Highway No. 450 shall, under the provisions of Chapter 196, Oregon Laws of 1935, become a county road or highway, and the construction, repair, maintenance, or improvement, and the jurisdiction thereof, shall be exclusively under the Malheur County Court.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described section of the Jordan Valley Secondary Highway No. 450 is hereby eliminated from the secondary state highway system, to wit:

A section of the Jordan Valley Secondary Highway No. 450, described as follows:

Beginning at the junction of Secondary Highway No. 450 with Secondary Highway No. 455, at a point approximately 21.0 miles south of Nyssa; thence extending in a southerly direction to Jordan Valley, a distance of approximately 55.8 miles.

2. That the said above described section shall be and is hereby declared to be eliminated and removed from the secondary system of highways, and, from and after the adoption of this resolution, shall become a county road or highway, and the construction, repair, maintenance, or improvement, and the jurisdiction thereof, shall be exclusively under the Malheur County Court, as provided in Chapter 196, Oregon Laws of 1935.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate a system of secondary state highways, which

highways shall be selected from the market roads or other county roads or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Malheur County Court of the State of Oregon, has heretofore selected and regularly adopted, as provided by law, the Malloy Ranch-Idaho Line Secondary Highway No. 457, and

WHEREAS, it is now the intention of the State Highway Commission, by mutual agreement with the Malheur County Court of the State of Oregon, to eliminate and remove from the system of secondary state highways, under the provisions of Chapter 196, Oregon Laws of 1935, the hereinafter described Malloy Ranch-Idaho Line Secondary Highway No. 457, and

WHEREAS, it is mutually understood and agreed by the State Highway Commission and the Malheur County Court of the State of Oregon that from and after the adoption of this resolution by the State Highway Commission, the hereinafter described Malloy Ranch-Idaho Line Secondary Highway No. 457 shall, under the provisions of Chapter 196, Oregon Laws of 1935, become a county road or highway, and the construction, repair, maintenance, or improvement, and the jurisdiction thereof, shall be exclusively under the Malheur County Court.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described Malloy Ranch-Idaho Line Secondary Highway No. 457 is hereby eliminated from the secondary state highway system, to wit:

Beginning at a point on the Jordan Valley Secondary Highway approximately 19 miles north of Jordan Valley at Malloys Ranch; thence northeasterly a distance of approximately 2.4 miles to the Oregon-Idaho State Line.

2. That the said above described section shall be and is hereby declared to be eliminated and removed from the secondary system of highways, and, from and after the adoption of this resolution, shall become a county road or highway, and the construction, repair, maintenance, or improvement, and the jurisdiction thereof, shall be exclusively under the Malheur County Court, as provided in Chapter 196, Oregon Laws of 1935.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate,

and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Malheur County Court of the State of Oregon, has heretofore selected and regularly adopted, as provided by law, the McDermitt-North Secondary Highway No. 456, and

WHEREAS, it is now the intention of the State Highway Commission, by mutual agreement with the Malheur County Court of the State of Oregon, to eliminate and remove from the system of secondary state highways, under the provisions of Chapter 196, Oregon Laws of 1935, the hereinafter described McDermitt-North Secondary Highway No. 456, and

WHEREAS, it is mutually understood and agreed by the State Highway Commission and the Malheur County Court of the State of Oregon that from and after the adoption of this resolution by the State Highway Commission, the hereinafter described McDermitt-North Secondary Highway No. 456 shall, under the provisions of Chapter 196, Oregon Laws of 1935, become a county road or highway, and the construction, repair, maintenance, or improvement, and the jurisdiction thereof, shall be exclusively under the Malheur County Court.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described McDermitt-North Secondary Highway No. 456 is hereby eliminated from the secondary state highway system, to wit:

Beginning at a point on the Oregon-Nevada State Line at or near McDermitt, and extending in a northerly direction a distance of approximately 26 miles.

2. That the said above described section shall be and is hereby declared to be eliminated and removed from the secondary system of highways, and, from and after the adoption of this resolution, shall become a county road or highway, and the construction, repair, maintenance, or improvement, and the jurisdiction thereof, shall be exclusively under the Malheur County Court, as provided in Chapter 196, Oregon Laws of 1935.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select,

locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Malheur County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Malheur County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Oregon-Idaho Line - McDermitt Secondary State Highway  
No. 456

Beginning at a point on the Oregon-Idaho State Line in Section 31, T. 26 S., R. 47 E., W.M.; thence in a southerly and southwesterly direction to Malloy Ranch, Hooker Creek north of Jordan Valley, a crossing of the Owyhee River south of Rome, Blue Mountain Pass, to McDermitt at the Oregon-Nevada State Line, in Section 19, T. 41 S., R. 43 E., W.M., a distance of approximately 118 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with

the Malheur County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Malheur County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Hooker Creek-Jordan Valley Secondary Highway No. 458

Beginning in the Town of Jordan Valley; thence extending in a northerly direction to a junction with the I.O.N. Secondary Highway and the Nyssa-Jordan Valley Road at Hooker Creek, a distance of approximately 5.3 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

In this connection the Engineer explained that it was necessary to effect this change by the adoption of five resolutions in order to provide an orderly designation of the I.O.N. Highway as a single secondary state highway throughout its entire length, rather than as three. He also explained that the road extending westerly from Jordan Valley to a connection with the new secondary highway was not included in the secondary highway designation because it was thought that this particular road would be maintained by the State anyway as a secondary highway detour pending construction of a new road southwest from Hooker Creek north of Jordan Valley. The Commission took the view that this county road should be included in the Secondary Highway System and indicated that it would approve a resolution from the County Court requesting such designation. The Engineer was instructed to take the matter up with Malheur County Court.

The Secretary presented a resolution from the County Court of Klamath County requesting the designation, as a secondary state highway, of a road extending southeasterly from The Dalles-California Highway at a point near the

town of Merrill, to the California state line at a place known as Hatfield, a distance of 2.44 miles. The Engineer recommended that the request be granted inasmuch as this is a new road that was recently constructed by the State as a federal secondary project and will form an important connection with the highway system of California. The Commission approved the recommendation and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate, a system of secondary state highways, which highways shall be selected from the market roads or other county roads or available locations or routes of the several counties, and

WHEREAS, the State Highway Commission, by mutual agreement with the Klamath County Court of the State of Oregon, has selected the highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following named market road, county road, highway, route, or location of a highway in Klamath County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted, and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Merrill-Hatfield Secondary Highway No. 426

Beginning at a point on The Dalles-California Highway approximately two miles east of Merrill; thence in a southeasterly direction to the Oregon-California State line to a point approximately 635 feet east of the southwest corner of Section 15, T. 41 S., R. 11 E., W.M., a distance of 2.44 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

The Engineer reported that Klamath County has clarified all of the right of way matters which were precedent to the rearrangement of the secondary

highway system of Klamath County and, in his opinion, it is now in order for the State Highway Commission to fulfill its understanding and previous agreement with the County Court by making the changes and additions heretofore requested by the county and by designating the Klamath Falls-Weed Highway a primary state highway. He mentioned particularly that the service station which was located in the wye connection of the East Diamond Lake Road and The Dalles-California Highway has been removed. After discussion the Commission decided that the County Court has fulfilled its part of the agreement and, accordingly, by unanimous vote, upon motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle, adopted the following resolutions pertaining to the matter:

WHEREAS, the highway from Klamath Falls to a junction with the existing location of the Pacific Highway is a duly designated and adopted state highway and has been improved, and is being improved and maintained, as a part of the state highway system, which said highway is otherwise known as the Green Springs Highway No. 21 and also is designated as Federal Highway No. 66; and

WHEREAS, there is urgent public need and demand that there be designated as a state highway a highway extending from a point on the said Green Springs Highway approximately three miles westerly from Klamath Falls southerly to the Oregon-California Line so as to connect with the Weed to California-Oregon Line near Calor highway in the State of California; and

WHEREAS, the State Highway Commission has caused a survey to be made of a proposed route for a state highway extending from an intersection with the said Green Springs Highway approximately three miles west of Klamath Falls southerly to a connection with the said Weed to California-Oregon Line near Calor highway in the State of California; and

WHEREAS, the State of California has definitely located and has constructed, or is engaged in or proposes to construct, the said Weed to California-Oregon Line near Calor highway from Weed to the California-Oregon Line near Calor; and

WHEREAS, it is the judgment of the State Highway Commission that the location, construction, improvement, and maintenance of a state highway extending from a connection with the Green Springs Highway approximately three miles westerly from Klamath Falls to a connection with the Weed to California-Oregon Line near Calor highway in the State of California at the Oregon-California boundary line will be of advantage to the general public, and in the judgment of the Commission the location, construction, improvement, and maintenance of such a highway is necessary for the accommodation of the volume, type, and character of traffic which will be accommodated by said highway and will be of great public use, benefit, and in the public interest; and

WHEREAS, in the judgment of the State Highway Commission, the said proposed highway and its location, construction, improvement, and maintenance as a public highway and as a part of the state highway system is deemed of sufficient importance to warrant the designation and adoption of the said highway as a state highway and as a part of the state highway system, and is of sufficient public importance to warrant and authorize the construction, improvement, and maintenance of the same with state highway funds in the same manner that other state highways are constructed, improved, and maintained;

THEREFORE, BE IT RESOLVED that that certain highway hereinafter described be and the same hereby is designated and adopted as a state highway and hereby is made a part of the state highway system, which said highway shall be known as State Highway No. 50 and is described as follows, to-wit:

Beginning at a point in the present Green Springs Highway which is north 698 feet from the quarter section corner between Sections 7 and 8, Township 39 South, Range 9 East, W.M.; thence in a southerly direction as follows:

Along a  $1^{\circ} 12'$  curve left, through an angle of  $64^{\circ} 42'$  a distance of 5391.7 feet; thence South  $18^{\circ} 02'$  East a distance of 2379.1 feet to the beginning of a  $2^{\circ}$  curve to the right; thence along said curve through an angle of  $21^{\circ} 40'$  a distance of 1083.3 feet; thence South  $3^{\circ} 38'$  West a distance of 5078.4 feet to the beginning of a  $1^{\circ} 40'$  curve to the right; thence along said curve, through an angle of  $32^{\circ} 56'$  a distance of 1976.1 feet; thence South  $36^{\circ} 34'$  West a distance of 8760.1 feet to the beginning of a  $0^{\circ} 30'$  curve to the left; thence along said curve, through an angle of  $19^{\circ} 51'$  a distance of 3970.0 feet; thence South  $16^{\circ} 43'$  West a distance of 22,520.9 feet to the beginning of a  $2^{\circ}$  curve to the right; thence along said curve, through an angle of  $15^{\circ} 25'$  a distance of 770.8 feet; thence South  $32^{\circ} 08'$  West a distance of 9518.7 feet to the beginning of a  $1^{\circ}$  curve to the left; thence along said curve, through an angle of  $11^{\circ} 41'$  a distance of 1168.3 feet; thence South  $20^{\circ} 27'$  West, a distance of 10,014.8 feet to the beginning of a  $2^{\circ}$  curve to the left; thence along said curve, through an angle of  $20^{\circ} 39'$  a distance of 1032.5 feet; thence South  $0^{\circ} 12'$  East a distance of 278.0 feet to the beginning of a  $2^{\circ}$  curve to the right; thence along said curve, through an angle of  $34^{\circ} 00'$  a distance of 1700.0 feet; thence South  $33^{\circ} 48'$  West a distance of 61.8 feet to a point on the Oregon-California Boundary Line, said point being approximately 1230 feet west and 2210 feet south of the north quarter section corner of Section 16, Township 41 South, Range 8 East, W. M., Klamath County, Oregon.

BE IT FURTHER RESOLVED that the survey, field notes, maps, and

other engineering notes and field data relative to the location and survey of said proposed highway be and the same hereby are approved and are adopted and ordered filed in the records and files of the Commission at Salem, Oregon, and said survey, route, and location, subject to such modification and changes as may be deemed necessary by the Highway Commission, shall be the survey and location of said highway.

BE IT FURTHER RESOLVED that the Secretary of the Commission be and he is instructed to enter this resolution in the minutes of the Commission and to transmit a certified copy thereof to the County Court of Klamath County.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate, a system of secondary state highways, which highways shall be selected from the market roads or other county roads or available locations or routes of the several counties, and

WHEREAS, the State Highway Commission, by mutual agreement with the Douglas County Court of the State of Oregon, has selected the highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following named market road, county road, highway, route, or location of a highway in Douglas County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted, and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Crater Lake North Secondary Highway No. 232

Beginning at a point on the North Boundary of Crater Lake National Park at a point approximately two miles west of the Douglas County-Klamath County Line; thence northwesterly to the Junction of the Cascade Lakes Forest Highway with the Diamond Lake Forest Highway south of Diamond Lake, being approximately 5.3 miles in length.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate, a system of secondary state highways, which highways shall be selected from the market roads or other county roads or available locations or routes of the several counties, and

WHEREAS, the State Highway Commission, by mutual agreement with the Douglas County Court of the State of Oregon, has selected the highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following named market road, county road, highway, route, or location of a highway in Douglas County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted, and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

East Diamond Lake Secondary Highway No. 425

Beginning at the Junction of the roads or highways now known as the Cascade Lakes and Diamond Lake Forest Highways at a point approximately 1.5 miles north of the Crater Lake National Park Boundary; thence easterly to the Douglas County-Klamath County Line at a point approximately 1.5 miles north of the Crater Lake National Park Boundary, being approximately 1.5 miles in length.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by

mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate, a system of secondary state highways, which highways shall be selected from the market roads or other county roads or available locations or routes of the several counties, and

WHEREAS, the State Highway Commission, by mutual agreement with the Klamath County Court of the State of Oregon, has selected the highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following named market road, county road, highway, route, or location of a highway in Klamath County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted, and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

East Diamond Lake Secondary Highway No. 425

Beginning at a point on the Douglas County-Klamath County Line approximately 1½ miles north of the Crater Lake National Park Boundary Line; thence easterly to The Dalles-California Highway at a point near the corner of Sections 7, 12, 6 and 1 of T. 29 S., R's 7 and 8 E., W.M., a distance of approximately 13.4 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate, a system of secondary state highways, which highways shall be selected from the market roads or other county roads or available locations or routes of the several counties, and

WHEREAS, the State Highway Commission, by mutual agreement with

the Douglas County Court of the State of Oregon, has selected the highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following named market road, county road, highway, route, or location of a highway in Douglas County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted, and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

West Diamond Lake Secondary Highway No. 233

Beginning at the junction of the Cascade Lakes Forest Highway with the Diamond Lake Forest Highway at a point south of Diamond Lake; thence in a southerly and southwesterly direction to a point on the Douglas County-Jackson County Line, approximately 1,300 feet west of the section corner common to Sections 5, 6, 31 and 32, Townships 29 and 30 S., R. 4 E., W.M., a distance of approximately 17.9 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate, a system of secondary state highways, which highways shall be selected from the market roads or other county roads or available locations or routes of the several counties, and

WHEREAS, the State Highway Commission, by mutual agreement with the Jackson County Court of the State of Oregon, has selected the highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following named market road, county road, highway, route, or location of a highway in Jackson County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted, and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

West Diamond Lake Secondary Highway No. 233

Beginning at a point on the Douglas County-Jackson County Line approximately 1,300 feet west of the section corner common to Sections 5, 6, 31 and 32, Townships 29 and 30 S., R. 4 E., W.M., thence in a southerly and southwesterly direction to a junction with the Crater Lake State Highway at a point near the confluence of Rogue River and Union Creek, a distance of approximately 6 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate, a system of secondary state highways, which highways shall be selected from the market roads or other county roads or available locations or routes of the several counties, and

WHEREAS, the State Highway Commission, by mutual agreement with the Klamath County Court of the State of Oregon, has selected the highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following named market road, county road, highway, route, or location of a highway in Klamath County be and the

said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted, and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Sand Creek Secondary Highway No. 424.

Beginning at a point on The Dalles-California Highway approximately  $\frac{1}{2}$  mile southwesterly from the west boundary of the Klamath Indian Reservation; thence in a northwesterly direction to the east boundary of Crater Lake National Park, a distance of approximately 4.2 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate, a system of secondary state highways, which highways shall be selected from the market roads or other county roads or available locations or routes of the several counties, and

WHEREAS, the State Highway Commission, by mutual agreement with the Klamath County Court of the State of Oregon, has selected the highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following named market road, county road, highway, route, or location of a highway in Klamath County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted, and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Lower Klamath Secondary Highway No. 423.

Beginning at a point on the State Highway approximately 1.5 miles south of Midland; thence extending

easterly to The Dalles-California Highway a distance of approximately 7.0 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate, a system of secondary state highways, which highways shall be selected from the market roads or other county roads or available locations or routes of the several counties, and

WHEREAS, the State Highway Commission, by mutual agreement with the Klamath County Court of the State of Oregon, has heretofore selected and regularly adopted, as provided by law, the Midland Secondary Highway No. 420, and

WHEREAS, it is now the intention of the State Highway Commission, by mutual agreement with the Klamath County Court of the State of Oregon, to eliminate and remove from the system of secondary state highways, under the provisions of Chapter 196, Oregon Laws of 1935, the hereinafter described section of the Midland Secondary Highway No. 420, and

WHEREAS, it is mutually understood and agreed by the State Highway Commission and the Klamath County Court of the State of Oregon that from and after the adoption of this resolution by the State Highway Commission, the hereinafter described section of the Midland Secondary Highway No. 420 shall, under the provisions of Chapter 196, Oregon Laws of 1935, become a county road or highway, and the construction, repair, maintenance, or improvement, and the jurisdiction thereof, shall be exclusively under the Klamath County Court.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described section of the Midland Secondary Highway No. 420 is hereby eliminated from the secondary state highway system, to wit:

Beginning at the State Highway in the Town of Midland, extending thence southeasterly and easterly a distance of approximately 2.4 miles; thence extending in a northerly direction a distance of 2 miles to the

intersection of the Miller Island Road and the Midland Secondary State Highway, being approximately  $4\frac{1}{2}$  miles in length.

2. That the said above described secondary highway shall be and is hereby declared to be eliminated and removed from the secondary system of highways, and, from and after the adoption of this resolution, shall become a county road or highway, and the construction, repair, maintenance, or improvement, and the jurisdiction thereof, shall be exclusively under the Klamath County Court, as provided in Chapter 196, Oregon Laws of 1935.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate, a system of secondary state highways, which highways shall be selected from the market roads or other county roads or available locations or routes of the several counties, and

WHEREAS, the State Highway Commission, by mutual agreement with the Klamath County Court of the State of Oregon, has selected the highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following named market road, county road, highway, route, or location of a highway in Klamath County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted, and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

A Section of the Miller Island County Road to Be Known as and Become, a Part of the Midland Secondary Highway No. 420:

Beginning at a point on the State Highway approximately  $2\frac{1}{2}$  miles north of Midland; thence extending easterly to the Midland Secondary Highway, a distance of approximately 1.1 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

The Commission then reconsidered the matter of snow removal operations on the Diamond Lake Road. The Engineer advised that he has conferred with the United States Forest Service officials who have asserted their willingness to pay the cost and expense of such snow removal if the state will furnish one of its Snogos which would be the state's sole contribution to this work. The Commission accepted this offer and thereupon authorized the Engineer to deliver the Snogo to the Forest Service officials, it being understood that the Forest Service would hire one of the Highway Department's employees who is familiar with the operation of the Snogo to operate this machine.

The Commission considered a letter from George C. Sabin, Manager of the Oregon Caves resort, in which he asks the Commission to lend its assistance in securing better lighting facilities in the Oregon Caves. The Commission declined to respond to the request inasmuch as the Oregon Caves resort is a federal project and its maintenance is a strictly federal proposition.

The Engineer again reported the circumstances surrounding the collapse of the South Yamhill River Bridge at Whiteson, on May 2, 1937, for the benefit of Commissioner Aldrich who was not present at the meeting on the previous evening. Commissioner Aldrich approved the action taken by Chairman Cabell and Commissioner Tou Velle at that time.

The Engineer then inquired as to the wishes of the Commission relative to the replacement of the structure. He suggested that the new structure be built as quickly as possible on permanent alignment a short distance west of the site of the old bridge, which involves the construction of about 0.85 mile of highway estimated to cost about \$60,000, an underpass under the Southern Pacific Railroad costing about \$20,000, and the bridge costing about \$111,000, or a total of about \$191,000. He further suggested that the entire project could be financed as a federal aid project with funds that have been budgetted for other projects, thus deferring until later in the year the construction of such other projects which are now on the program for early construction.

After discussion the Commission approved the Engineer's suggestions by unanimous vote and authorized him to make surveys as may be necessary for the Whiteson project and to proceed with the preparation of plans for the same with the idea in mind that the project will be advertised for bids to be received at the July meeting of the Commission

The Commission deferred consideration of additional routine matters until arrival at the Highway Department's office building in Roseburg.

Proctor  
State Highway Engineer

Arbuckle  
Secretary

Henry F. Cabell  
Chairman

Edwin  
Commissioner

J. L. Douville  
Commissioner

Roseburg, Oregon, May 18, 1937

The State Highway Commission reconvened at 4:30 o'clock p. m. in the office of Division Engineer K. D. Lytle. Present at this meeting were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
R. H. Baldock, State Highway Engineer  
J. M. Devers, Attorney  
H. B. Glaisyer, Secretary

A telegram was presented from the American Road Builders' Association requesting the Commission to urge the Oregon delegation in Congress to support the Cartwright Highway Amendment to the 1937 Work Relief Bill which appropriates not less than \$150,000,000 for highway construction purposes including \$75,000,000 for public highways on the Federal Aid System, \$50,000,000 for secondary or feeder roads, and \$25,000,000 for railroad grade crossing eliminations. The Commission approved the request and authorized the Engineer to respond thereto.

The Commission considered and ordered filed a letter from Dr. Robert McCune, Cave Junction, Oregon, and the Engineer's reply thereto, relative to the First Aid Station that has been installed by the American Red Cross at the junction of the Redwood and Oregon Caves Highways in Josephine County. Dr. McCune protested the establishment of such First Aid Station because it will interfere with his livelihood. The Engineer advised him that the State Highway Commission has nothing whatsoever to do with it except that the Commission has authorized the American Red Cross to erect signs at various points on the highway right of way.

A letter was presented from the Tillamook County Court requesting the widening of the concrete bridge over West Beaver Creek on the Oregon Coast Highway between Beaver and Hemlock, in Tillamook County, so as to eliminate a dangerous condition which they allege now exists. The County Court alleges that this bridge is so narrow that cars often collide when passing and it is the county's contention that the condition justifies immediate attention. The Engineer pointed out that the Commission has under contemplation in the not far distant future the reconstruction of the section of the highway on which this bridge is located. He recommended that the bridge work be deferred until funds are available to finance the reconstruction of the entire section. The Commission approved the recommendation by unanimous vote.

The Engineer advised that it will not be possible to confer with Mr. Lacey V. Murrow, Director of Highways for the State of Washington, in Olympia, on June 2, as was originally planned, because Mr. Murrow has gone to Washington, D. C., and is not expected to return until about June 4. The Commission instructed him to arrange with Mr. Murrow for such conference in Portland on the evening of June 4, if possible.

A letter was presented from the North Bend Chamber of Commerce requesting the construction of a nonskid wearing surface on Sherman Avenue,

North Bend, which is the route of the Oregon Coast Highway through this town. The Engineer was instructed to investigate the condition of this street and report his findings at the June 3 meeting of the Commission, including an estimate of cost to do the work.

A letter was presented from O. W. Taylor, Portland, inquiring whether or not the State Highway Commission is interested in any way in acquiring ownership to certain tide lands along the Oregon Coast at Clatsop Beach, extending south from a point one-half mile north of Hotel Gearhart, around the point, and approximately 1,000 feet up the Necanicum River, which property is owned by the Gearhart Park Company. The Attorney was instructed to look into the law with respect to the portion of the ocean shoreline which has been designated as a public highway and to furnish a copy of the same to the Chairman of the Commission for his use in formulating a reply to Mr. Taylor.

Consideration was given by the Commission to a letter from W. C. Harding, Secretary of the Roseburg Chamber of Commerce, advising that the Directors of the Chamber are particularly anxious for the widening of two blocks in the center of their city, from Washington to Cass Streets, to conform with the improvement of the City of Roseburg Section of the Pacific Highway. It was pointed out in the letter that these two blocks connect with the improvement that is now underway and in their present condition constitute a bottleneck. Chairman Cabell stated that he looked this project over enroute to Grants Pass on May 16 and, in his opinion, the work should be done. Commissioner Aldrich concurred and it was so ordered.

A petition was presented from the business people of Delake, Oregon, in which the Highway Commission was requested to cooperate with the people of this community in securing the removal of an old frame building situate adjacent to the Oregon Coast Highway at Delake, which building, it is alleged, constitutes a dangerous fire hazard as well as being very unsightly. The Commission expressed its regrets that it could not join with the people of this district in the removal of this eyesore and ordered that the petitioners be so informed.

A letter was presented from Andersen Construction Company, contractors, who submitted the second low bid on April 28 for the construction of the East Unit of the Jordan Creek Section of the I.O.N. Highway in Malheur County, protesting award of the contract for this work to the low bidder, Consolidated Highway Company, Inc., because, they allege, the bid of this company is unbalanced in that its bid for finishing work is only \$1.00 per mile, whereas the average price bid by other contractors is approximately \$300 per mile; furthermore their prices for common excavation and rock excavation are identical. The Engineer advised that the bid of the Consolidated Highway Company, Inc., is satisfactory insofar as he is concerned, and the company has furnished a satisfactory bid bond. He gave as his thought that the contract should be awarded to the low bidders, if and when the conditions of the award have been satisfied. After discussion the Commission concurred in the viewpoint of the Engineer and thereupon confirmed the action taken on April 28 with respect to the award of this contract.

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A letter was presented from the McMinnville Chamber of Commerce inquiring why expenditures of state highway funds for improvement of the Pacific Highway East (99E) are so much greater than for the improvement of the Pacific Highway West (99W) and advising that it is their intention, if possible, to secure an equal expenditure of funds year by year on these two highways. The Commission discussed this matter but deferred a final decision in regard thereto pending an anticipated conference between the Commission and representatives of the McMinnville Chamber of Commerce. The Engineer was instructed to assemble full information and data with respect to the matter and to furnish each Commissioner with a copy thereof in advance of the conference.

The Engineer reported that the City Council of Oakland, Oregon, has requested the State to perform certain repair work on Locust Street in their city which, they allege, has been damaged considerably by reason of heavy hauling in connection with state highway construction work in their vicinity. He gave as his thought that there is some justification in their request because a certain amount of damage was done by trucks in hauling topping material to the Turkey Hill project on the Pacific Highway. He recommended therefore that the Commission cooperate in this improvement to the extent of paying 25 per cent of the cost which, he estimated, would total about \$2,000, making the State's share about \$500, the work to be done with State forces. The Commission approved the recommendation by unanimous vote.

The Engineer said that the Oakland City Council has also requested the State to do some additional work on city streets and they have stated their willingness to pay the entire cost of such work which is estimated at \$600.00. He recommended the approval of the request if the city will advance payment for same. The Commission approved the recommendation by unanimous vote.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with John M. Gibson, et al, relating to the installation of a tidebox, or boxes, and the construction of an embankment in the vicinity of a certain slough which leads from the Siuslaw Highway, in Lot 2, Section 12, Township 18 S., Range 11 West, W.M., in Lane County;

Agreement with Lower Valley Ditch Company relating to a change in an irrigation ditch on the Rock Creek-Wallowa Section of the Wallowa Lake Highway in Wallowa County;

Agreement with Gilpin Construction Company and General Construction Company disposing of certain claims arising out of their contract for the construction of the Yaquina Bay Bridge, being State Highway Contract No. 1635.

The Commission concluded its meeting in Roseburg at 5:15 o'clock p. m. and proceeded to Salem.

Enroute the Commission inspected the operations of the Earl Harris

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Lumber Company on the highway right of way, a short distance north of the town of Drain. Such inspection revealed that the company is still using the highway right of way in connection with the loading of its lumber on railroad cars at this point, regardless of previous orders from the State Highway Commission to discontinue such operations on the highway. The Commission instructed the Engineer to again order the company to cease operating on the highway, and, if they do not do so immediately, to take the necessary steps to enjoin the use of the State property by the company.

The meeting was declared adjourned at 6:00 o'clock p. m.

*[Signature]*  
State Highway Engineer  
*[Signature]*  
Secretary

*[Signature]*  
Chairman  
*[Signature]*  
Commissioner

Portland, Oregon, June 3, 1937.

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building, Portland, Oregon.  
Present were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
J. M. Devers, Attorney  
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects, sale of bridge steel, and for the sale of a dwelling, were offered and read in conformance with previously published notice:

WOLF CREEK HIGHWAY  
ELSIE-NEHALEM RIVER SECTION  
BRIDGE OVER QUARTZ CREEK

L. H. Hoffman	\$159,254.00
C. J. Montag & Sons	169,140.00
Joplin & Eldon	169,205.00
Kern & Kibbe	187,535.00
Parker-Schram Company	187,587.50
MacRae Bros.	194,530.00

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CENTRAL OREGON HIGHWAY  
HORSE RIDGE-BROTHERS SECTION  
REGRADING, SURFACING, OIL TREATMENT, ASPHALT PRIME COAT

McNutt Bros.	\$ 91,556.00
E. C. Hall Company	96,100.40
Warren Northwest, Inc.	96,886.00
Joslin & McAllister	102,822.00
Babler Bros.	103,500.00
Clifford A. Dunn	107,426.10
Edwin C. Gerber	109,600.50
Saxton & Looney and J. S. Risley	114,323.80

McKENZIE HIGHWAY  
McKENZIE PASS-LITTLE BUTTE SECTION  
OIL MAT SURFACE TREATMENT

Edwin C. Gerber	\$ 12,501.00
Babler Bros.	12,841.00
Warren Northwest, Inc.	12,882.00
Clifford A. Dunn	12,982.00
Joplin & Eldon	13,813.50
A. Milne	13,841.00
J. C. Compton	15,059.00

PACIFIC HIGHWAY  
PHOENIX-BEAR CREEK SECTION  
GRADING, PORTLAND CEMENT CONCRETE PAVEMENT, CONCRETE BRIDGE

Jacobsen-Jensen Company	\$159,771.50
Oregon Contracting Company	162,508.50
E. C. Hall Company	165,957.00
Clifford A. Dunn	169,625.50
Kern & Kibbe	173,186.50
C. J. Montag & Sons	184,942.50
Harold Blake	195,501.50

WARM SPRINGS HIGHWAY  
MILLER FLAT-AGENCY SECTION  
GRADING

Andersen Construction Company	\$ 56,849.90
Geo. F. Christensen	60,073.00
McNutt Bros.	61,572.50
Berke Bros., Inc.	66,023.50
Leonard & Slate	66,037.00
Jacobsen-Jensen Company	66,384.00
Fisher Bros.	67,193.00
J. A. Lyons	67,590.00
E. C. Hall Company	68,362.00

(Continued on next page)

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(Miller Flat-Agency Section, continued)

Wren & Greenough	\$ 68,905.00
Oregon Contracting Company	69,777.00
Joplin & Eldon	72,096.50
Coos Bay Construction Company	72,140.00
J. C. Papin	72,812.50
M. L. O'Neil & Son	74,573.00
Parker-Schram Company	74,945.50
Consolidated Highway Company, Inc.	76,963.70
Colonial Construction Company	78,596.00
Kuckenberg-Wittman Company, Inc.	80,865.00
A. C. Greenwood, Inc.	95,630.00

OREGON COAST HIGHWAY  
SHORT SAND BEACH CREEK SECTION  
BRIDGE OVER SHORT SAND BEACH  
CREEK

E. F. and W. F. Philpott	\$ 12,136.00
Curtis Gardner	13,880.00
Dolan Construction Company	15,040.00

PACIFIC HIGHWAY WEST  
McMINNVILLE SECTION  
GRADING, PORTLAND CEMENT AND ASPHALTIC CONCRETE PAVEMENT

	Using Road Oil	Using Tar
Jacobsen-Jensen Company	\$106,271.50	\$ - - - -
Mountain States Construction Company	108,161.00	- - - -
Edlefsen-Weygandt Company	- - - -	112,413.50
Harold Blake	- - - -	114,608.50
Oregon Contracting Company	- - - -	115,210.00
Warren-Northwest, Inc.	- - - -	116,063.50

SALE OF SCRAP BRIDGE STEEL  
STORED FOUR MILES SOUTH OF McMINNVILLE

American Hardware and Supply Company	\$ 180.00
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SALE OF RESIDENCE BUILDING  
LOCATED AT 1204 PROSPECT STREET, ROSEBURG

George Lammers	\$ 72.00
J. H. Bosard	32.00

Chairman Cabell announced that the awards of contracts would be made at 3:00 o'clock p. m. in the same room.

A delegation representing the Dump Truck Association, Portland, came before the Commission in regard to furnishing equipment for use in connection with the Wolf Creek and Wilson River W.P.A. projects. Mr. O. M. Tonkon,

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attorney, Portland, headed this delegation, which included Jack Wagner, State Representative and Secretary of the Oregon Truck Owners' Association; T. B. Bidwell; Mr. Tate, representing the Tate Sand and Gravel Company; and Mr. James H. Cassell, Manager, Portland Automotive Trades Association.

Mr. Tonkon stated that members of their association do not think it is right for the State Highway Commission to purchase equipment for these jobs and that it is a dangerous policy for the Commission to do so; also, that they have about 250 trucks available and feel that, inasmuch as these two projects were undertaken for the purpose of providing employment, the state should enter into the spirit and purpose of the Federal Government in assisting projects of this kind, because, unless employment is furnished for the truck men, they very likely will have to go on the relief rolls and their equipment will become worthless and useless and be a total loss. He referred to a petition signed by 86 members of the Dump Truck Association and by independent and non-affiliated owners of dump trucks, heretofore filed with the Commission, urging reconsideration of the Commission's decision to purchase its own trucks for use on these jobs.

Mr. Wagner alleged there are 503 owners of small trucks on relief in Multnomah County. He said that he introduced a bill at the last session of the Legislature, which, if it had passed, would have prevented the State Highway Department from purchasing equipment for use in connection with relief projects; but the bill failed as a result of efforts of members of the State Highway Department, who told the Highway Committee that the Commission had no intention of purchasing equipment for such projects. However, it now appears that the Commission has taken a reverse stand and intends to purchase the equipment notwithstanding the assertions of its representatives before the Highway Committee. He also referred to the Wilson River and Wolf Creek Highway projects as being carried on to provide employment and declared that, if the state purchases equipment for the same, it would be making machine projects out of these jobs rather than labor projects. He objected to such procedure because, the way he looked at it, it was the intent of the national act that the money should be spent in such a way that men in dire need would get the maximum benefit therefrom, which would not be the case if the state purchases the equipment. He asked the Commission to give this matter serious consideration in behalf of the men who have their money invested in equipment and have no other way of making a living.

Others speaking in behalf of the Association were Mr. Tate, Mr. Cassell and Mr. Bidwell.

Chairman Cabell advised that the Commission has decided to purchase its own trucks for use on these projects because the Commission considers that it is to the best interests of the tax payers of the state as a whole to do this. He gave the following reasons for the adoption of such policy: (1) The Commission considers, other things being equal, that it would be better if these projects were conducted as contract jobs rather than by day labor, as they are now being carried on; (2) The Commission considers that it would be better if more relief could be provided with the money expended, but, when

the engineers can satisfy the Commission that a considerable saving in funds can be made and more effective work accomplished by following certain procedures, then the Commission adopts the plan suggested by the engineers in order to conserve as much as possible the state money, which is provided by the motorists of the state in general, and to secure as much construction as possible. He added that it is evident that the truck association has an exaggerated idea in regard to the furnishing of trucks, and explained that the Commission did not intend in the first place to cooperate in these projects but did so on the urgent request of the sponsors thereof because they wanted to make certain that they would secure more construction than was possible if the state did not make some contribution to the work, which was the reason that the Commission finally agreed to furnish certain equipment.

The Engineer explained that it has always been the policy of the Commission to contract its work and accordingly did not at first look with favor upon cooperating with the sponsors of the Wolf Creek and Wilson River W.P.A. projects, although it agreed to do so finally upon the urgent request of the sponsors, because the Commission believed that it would secure certain benefits. He further explained that under the W.P.A. rulings the state could either purchase or rent equipment for use in connection with these jobs and decided to purchase it because it considered that was the economical thing to do. He pointed out that the credits received for the rental of state-owned equipment would pay the initial cost of the equipment within a nine-month period; whereas, if the equipment was rented, the state would have nothing to show for the expenditure after the rental period expired.

After further discussion Chairman Cabell concluded the conference by stating that there is a principle involved in the expenditure of funds that have been entrusted to the Commission by the motorists of this state; and, unless it can be shown that equal results will be obtained by renting trucks for these jobs, the Commission will continue with its present policy and program of purchasing them, and in this connection, will adopt the Engineer's recommendations in regard thereto as final.

Mr. Tonkon gave as his thought that in considering this proposition the Commission should not base its decision wholly on the information furnished by its Engineer but should also consider figures furnished by the Dump Truck Association.

The Engineer advised that he would be glad to go over these figures at any time they are presented.

County Judge David F. Graham, Malheur County, came before the Commission and asked for the following improvements: (1) Reconstruction of the Vale West Secondary Highway. He asked that this road be improved to standards of the Central Oregon Highway. (2) Reconstruction of the Harper-Juntura Section of the Central Oregon Highway. He particularly asked that the unfinished portion be completed and the old section be oiled this year.

Judge Graham also asked for the improvement of the John Day Highway between Jamieson and Brogan, a distance of 12 miles, and the designation as a

secondary state highway of the county road which extends southeasterly from the town of Vale to a connection with the Jordan Valley Secondary Highway, about 4 miles north of Adrian, passing through the Owyhee irrigation project. He said that if the Commission could not make this designation now it would be satisfactory to do it later, but eventually they want the road put on the state secondary highway system.

Judge Graham then referred to certain newspaper clippings from the Eugene Register-Guard, in which it was intimated that it is the intention of the Lane County Court to request the cancellation of Lane County's indebtedness to the state for road construction. He protested such cancellation and said that if the Commission did this for Lane County it would then be right and proper to cancel the debts of all the counties, to which policy he is opposed.

The County Court of Lane County, represented by County Judge Fred Fisk and County Commissioner C. M. Young, was present and asked the Commission to extend the time limit for the county to pay its indebtedness from three years to six years. Judge Fisk pointed out that Lane County owes the Commission at the present time some \$264,000 and that the county is now making annual payments of about \$85,000, and if the Commission will reduce these payments by 50% it will help them to finance needed highway maintenance and construction. He said that the county does not want to repudiate its debt but is simply asking for a longer time in which to pay it. The Commission took the matter under advisement.

The County Court then asked the Commission for the early completion of the Willamette Highway. They were joined in this request by County Commissioners Roy Taber and Wm. F. B. Chase of Klamath County, representing the Klamath County Court. They were informed that the Bureau of Public Roads and the State expect to contract a considerable portion of the remaining section this year and another section next year and are in hopes that by the fall of 1939 the grading work will be done so the road can be used throughout its entire length.

County Commissioner Taber presented a petition signed by 43 summer home owners at Lake-O'-The-Woods and Rocky Point, who are desirous of securing additional oiling work on the Klamath Lake Secondary Highway and will be satisfied with a light oil treatment to allay the dust nuisance in the event the Commission cannot finance a standard improvement. He was informed by the Engineer that the Commission cannot finance a standard improvement this year and that the road is not in satisfactory condition to receive a light oil treatment and would have to be stabilized and properly drained; otherwise, a worse condition would obtain than if no oil had been applied at all, in view of which it would be best to defer the oiling until funds can be spared to do the job properly.

The Commission adjourned at 12:15 o'clock p. m., to reconvene at 1:45 o'clock p. m. in the same room.

The State Highway Commission reconvened at 1:45 o'clock p. m. in the Auditorium of the Public Service Building, with all members present and participating. Also present were the State Highway Engineer, the Attorney and the Secretary.

District Engineer W. H. Lynch of the Bureau of Public Roads was present in regard to the following matters: (1) Placing of the Interstate Avenue connection between West Burnside Street, Portland, and the Interstate Bridge on the Federal Aid system. He asked the Commission to make its request for such designation by resolution rather than by letter. The Secretary was instructed to send Mr. Lynch a certified copy of the resolution pertaining to this matter which was adopted by the Commission on March 26, 1937. (2) Projects to be included in the Federal Aid Secondary Highway System. Mr. Lynch said that he is recommending for approval in this system several county roads in Tillamook County but he would prefer hereafter that the Commission make its request to cover a goodly number of roads rather than to confine it to two or three. The Commission approved, and authorized the Engineer to advise Mr. Lynch to that effect by letter. (3) Question of obligating 1939 federal funds to finance the state-wide planning survey. Mr. Lynch advised that Congress had not yet made the 1939 appropriation for such purpose and that it would not be possible to obligate funds that have not yet been appropriated. The State Highway Engineer inquired whether or not the Government would reimburse the state for state funds advanced in connection with this survey. Mr. Lynch advised that he could not state definitely whether or not this could be done but he would ascertain and advise later. Further discussion of this matter was deferred until the following day when the Engineer is to render a report on how much money is required to complete the Planning Survey.

The question of changing the description of the easterly end of the Wilson River State Highway was brought up for discussion. Mr. Lynch pointed out that this road is now described as follows: "From Tillamook via the Wilson River Road to Banks." He asked that this description be changed to conform to the standard practice of designating Federal Aid routes connecting Federal Aid Highways, as follows: "From a point on Federal Aid Route No. 2, in the city of Tillamook, via Wilson River, to a point on Federal Aid Route No. 27, near North Plains." He was informed that the Commission has not yet definitely decided on the route for this highway east of Glenwood and that there is a possibility that the highway will be routed by Forest Grove; so the Commission is not in a position at the present time to comply with his request. The matter was deferred until the proposed railroad grade crossing elimination structure at a place known as Cook, in Washington County, has been completed.

A delegation headed by Mr. James F. Morrell, Chairman of the Transportation Committee of the Portland Chamber of Commerce, came before the Commission in regard to the construction of the new highway up the Columbia river between Troutdale and The Dalles. Included in the delegation were Messrs. W. N. Keeler, Cascade Locks, Chairman of the Mid-Columbia Watergrade Committee, representing 32 towns between Portland and Lewiston, Idaho; and J. B. Laber, representing the Cascade Locks Chamber of Commerce.

Mr. Morrell presented a statement adopted by the Board of Directors of the Portland Chamber of Commerce declaring it to be the policy of the Chamber to ask the State Highway Commission to adopt as one of its next major highway developments the building of the proposed new highway from Troutdale to The Dalles, and to improve, with as little delay as possible, the Pacific Highway south of Eugene by eliminating dangerous curves and grades.

Mr. Keeler presented a resolution adopted by the Watergrade Highway Committee of the Mid-Columbia Chambers of Commerce, in which the Highway Commission was requested to employ all practical means to further the construction of a modern water-grade highway, on a four-lane base, for the use of the fast-growing traffic between Portland and The Dalles.

Mr. Morrell emphasized the need of haste in securing right of way before prices rise by reason of the Bonneville Dam construction. Mr. Laber urged the construction of the Troutdale-Multnomah Falls Section as the first unit and pointed out the advantages to be gained by the use of this section as a part of a loop drive between Portland and Cascade Locks, going up one side of the Columbia River and down the other.

Commissioner Aldrich advised that the Commission has had this project in mind for a long time and is anxious to construct the same as soon as funds are available to finance it; furthermore, for the past year the Commission has been looking into the matter of right of way for the first unit with the view in mind of obtaining the same if possible without paying exorbitant prices, but it appears that the owners of the property are all asking far in excess of what their properties are really worth. It was his thought that the Commission would have to defer the project indefinitely if right of way cannot be obtained at reasonable cost.

Chairman Cabell advised that in some instances the owners of the property are asking ten times what the property is worth because they think that their land will be valuable as industrial sites upon completion of the Bonneville Dam. He further advised that the Commission intends to take advantage of materials dredged from the Columbia River by the U. S. War Department, if possible, so as to reduce to a minimum the cost of certain portions of the grade construction. He added that this whole project hinges upon the question of finances and when Congress appropriates money for the dredging work. He concluded the discussion by stating that the Commission will try to take action at once on the matter of acquiring the right of way. In this connection the Engineer suggested that it might be advisable for the Attorney to secure the services of a special right of way buyer for this purpose. The suggestion was approved by the Commission by unanimous vote. He also suggested that it might be advisable for the Attorney to try a test condemnation case to ascertain about how much will have to be paid for right of way in this vicinity. The Commission took no action on the suggestion.

A delegation from Hood River County, including County Commissioners J. D. Smullin and R. W. Perry; County Engineer C. M. Hurlburt; R. G. Hazeltine; W. F. Shannon; Joe W. West; and Rory Collins, President of the Hood River Progressive Club, came before the Commission relative to the Mt. Hood Highway.

They asked that this highway be placed on the Federal Aid System so as to secure the advantage of federal funds to finance the improvement of the same. They suggested that, if the Commission does not have federal aid mileage available, it might be secured by taking some other road off the Federal Aid System. It was explained that there is no federal aid mileage available at the present time and none will be available until construction of the present Federal Aid System is 90% complete, which will probably take four or five years; also, that no advantage would be gained by substituting this road for some other road on the Federal Aid System because the State would have to repay the Government the full amount of the federal funds that have already been expended on such other Federal Aid highway, which the Commission is not able to do now on account of shortage of funds.

Mr. Hurlburt inquired whether or not the Commission will approve the construction of dips in the pavement on the Columbia River Highway through the town of Hood River so as to force traffic to slow down. He explained that Columbia River Highway traffic now passes through Hood River at a high rate of speed, endangering the lives of the inhabitants, and they are of the opinion that the construction of such dips would prevent this to a large extent. The Engineer recommended against such construction, which, he said, was tried out in the State of California some years ago but did not prove successful. He gave as his thought that the State Highway Commission might be held responsible and liable for damages in the event that an accident should occur by reason of the dips, especially if the Commission approved the construction of the same, in view of the fact that the Commission has jurisdiction over this highway in the town of Hood River between curb lines. He suggested that the problem might be solved by providing more adequate police protection and by arresting all offenders against the speed laws. The Commission approved the Engineer's recommendation by unanimous vote and instructed him to so inform the Hood River City Council by letter, giving reasons for such action.

Mr. Smullin asked the Commission to expedite snow removal operations on the Mt. Hood Highway, to permit the use of this road by traffic as soon as possible. He was informed by the Engineer that an investigation is now being made to determine the cost to open the road and the results thereof will be reported to the Commission as soon as they are available. (Such report was rendered on the following day and the Engineer was authorized to commence snow removal operations on this highway immediately.)

The Engineer explained briefly to the County Court plans for the reconstruction of the Interstate Bridge Secondary Highway, which will be affected by high water when the Bonneville Dam is completed. He said that the government engineers object to rebuilding this road under the tracks of the O.W. R. & N. Company and have offered, in lieu thereof, to pay the state \$75,000 as its share of the cost to provide a different improvement, including construction of a new bridge over Hood River and the railroad company's tracks. He further stated that he was inclined to favor this offer because he believed that the new structure could be made to fit in with the eventual permanent alignment of the Columbia River Highway between Hood River and Mosier, but the railroad officials object to the plan because they allege the structure will detract from the appearance of their depot grounds in Hood River and necessitate rearrangement of their tracks and signalling system in this town and

will also necessitate the realigning of their tracks between Hood River and Mosier, which they are not inclined to do at this time. He advised that this change contemplates the use of Cascade Street in the town of Hood River and that the project for immediate construction involves the expenditure of about \$200,000, which means that the state would have to provide from some source the funds needed over and above the \$75,000 which the government engineers have offered as cooperation.

The County Court made no commitment on this report except that the County Engineer asked the Commission to include in its plans provision for raising the grade of their county road which is involved. The State Highway Engineer advised that it is his intention to confer further with the Army Engineers in regard to the matter and that the County Court could be represented at such conference if it so desired.

Mr. Collins urged additional improvements on the Hood River Secondary Highway and particularly the continuation of the oiling work that was done last year. He asked that the work be done as early as possible so that construction operations will not interfere with the hauling of their fruit to market. The Engineer advised that the Commission included this project in its program for this year's construction but had to defer it because of lack of funds. He pointed out the impossibility of doing the oiling work this year because it is now too late to advertise such work with any assurance that the job would be completed before September 15, which has been set as the deadline for oiling projects. He added that, if the Commission so desired, it could contract the surfacing work this year and let the oiling work go until next year.

Chairman Cabell expressed a desire to undertake a few small jobs of this kind during the "lull" in summer construction. Commissioner Aldrich concurred and gave as his thought that this particular job should be done this year if at all possible. After further discussion the Commission authorized, and instructed the Engineer to prepare this project, in accordance with the original plan for construction this year, and to forward full information in regard thereto to the Hood River County Court, including the date on which it is contemplated the job will be completed, so that the Court can advise whether or not they wish the job advertised immediately or deferred until after fruit hauling is over.

A delegation from Corvallis, consisting of H. W. Hand, Mayor; C. A. Mockmore, Chairman of the Street Committee of the City Council; Fred J. Porter, City Engineer; and Jay L. Lewis, City Attorney, appeared before the Commission with respect to the widening of North Ninth Street, Corvallis, the route of the Pacific Highway West in their city, north from Harrison Street to the city limits. They pointed out that the pavement on Ninth Street south from Harrison Street is 40 feet wide but north of Harrison Street is only 16 feet wide and asked that this be reconstructed so that it will be a uniform width of at least 40 feet throughout. They alleged that the present right of way is plenty wide to accommodate a 40-foot pavement and declared that they favored this project over all others that the Commission may have under consideration for Corvallis.

Chairman Cabell remarked that this is a desirable improvement but the Commission has no money available to finance the project now and has no idea when such funds will be available, so no commitment can be made at this time. After further discussion the Commission referred this matter to the Engineer for investigation and report as to the feasibility and cost of the improvement.

The County Court of Sherman County, represented by County Judge George A. Potter and County Commissioners A. A. Dunlap and David Reed, was present. They were accompanied by George Updegraff, District Attorney, representing the Chamber of Commerce of Moro, and E. D. McKee, of Wasco. Judge Potter was spokesman for the group. They asked the Commission to give serious consideration in its deliberations relative to the establishment of free ferry service across the Columbia River at Astoria, to the establishment of similar free ferry service also across the Columbia River between Biggs, Oregon, and Maryhill, Washington, and advised that in the event the Commission cannot arrange for such free ferry service at all times during the year, they would be satisfied if it were limited to the tourist season only. They gave as their thought that their request is justified in view of the fact that ferry service at this point connects U. S. highway routes in the states of Oregon and Washington and because the Commission has spent so much money for highway improvements along the Coast.

Chairman Cabell pointed out that there are only two places where the Highway Commission believes that the establishment of free ferry service would be justified and these are at Astoria and at Biggs. He said the Commission would be pleased to consider their request when the subject of free ferry service is again brought up for discussion.

Judge Potter also asked the Commission to improve the intersection of the Sherman Highway with the Columbia River Highway. He alleged that a hazardous condition exists there at the present time, which is conducive to traffic accidents. He suggested that the condition might be remedied by raising the grade of the Sherman Highway for a short distance. The Engineer gave as his thought that the present unsatisfactory condition is caused by Dinty's Service Station, which is located at this point. After discussion the Commission authorized and instructed the Engineer to investigate the conditions and render a report thereon at the next meeting.

Judge Potter then inquired about the secondary highways in Sherman County. He mentioned two which are of primary importance and are described as follows: (1) The county road, about 7.7 miles in length, which extends easterly from the Sherman Highway from a point about  $1\frac{1}{2}$  miles northeast of the town of Moro, via Monkland, to a connection with the Wasco-Happner Secondary Highway about a half-mile south of the place known as Fairview. (2) The county road extending from the place known as Miller, on the Columbia River Highway, southeasterly up Fulton Canyon to a connection with the Sherman Highway in the town of Wasco, a distance of about  $11\frac{1}{2}$  miles. He explained that a  $1\frac{1}{2}$ -mile section of the Fulton Canyon Road southerly from Miller Station is now a state secondary highway and all they are asking of the

Commission is simply to extend the secondary highway to the town of Wasco. Chairman Cabell advised that the Commission is not in a position to make any definite commitment at this time but will be pleased to inspect the road some time this summer and will make its decision then.

At 3:30 o'clock p. m. Chairman Cabell announced the following awards of contracts for which bids were received at the morning session, the awards having been previously approved by the Commission by unanimous vote:

"Construction of a bridge over Quartz Creek on the Elsie-Nehalem River Section of the Wolf Creek Highway, in Clatsop County. The low bid was received from L. H. Hoffman, Portland, at \$159,234.00. The next low bid was submitted by C. J. Montag & Sons, Portland, at \$169,140.00. There were four higher bidders. The Commission has awarded the contract to the low bidder, L. H. Hoffman, at his bid price of \$159,234.00.

"Horse Ridge-Brothers Section of the Central Oregon Highway, in Deschutes County. 16.09 miles regrading; 19.88 miles surfacing; 4.63 miles road mix surfacing, and 4.12 miles dust palliative oil treatment and 20.88 miles asphalt prime coat. McNutt Bros., Eugene, submitted the low bid for this job at \$91,556.00. The second low bid submitted was that of E.C. Hall Co., Eugene, at \$96,100.40. There were six higher bidders. The Commission has awarded this contract to McNutt Bros., the low bidders, at their bid price of \$91,556.00.

"McKenzie Pass-Little Butte Section of the McKenzie Highway, in Deschutes County. 8.0 miles oil mat surface treatment. The low bid was submitted by Edwin C. Gerber, Oregon City, at \$12,501.00. The second low bid submitted was that of Babler Bros., Portland, at \$12,841.00. There were five higher bidders. The Commission has awarded this contract to Edwin C. Gerber at his low bid of \$12,501.00.

"Phoenix-Bear Creek Section of the Pacific Highway, in Jackson County. 3.42 miles grading and Portland cement concrete pavement and construction of one 33-foot span concrete bridge. The low bidder is Jacobsen-Jensen Company, Portland, at \$159,771.50. The second low bidder is Oregon Contracting Company, Portland, at \$162,508.50. There were five higher bidders. The Commission has deferred the award of this contract and has referred the bids to the Engineer, with power to award the contract to the low bidder when certain conditions have been satisfied.

"Miller Flat-Agency Section of the Warm Springs Highway, in Jefferson County. 2.14 miles grading. The Commission received 20 bids for this job, the low one being that of Andersen Construction Company, Portland, at \$56,849.90. The second low bid was that of George F. Christensen, Stevenson, Washington, at \$60,073.00. The Commission has awarded the contract to the low bidder, Andersen Construction Company, at its bid price of \$56,849.90.

"Construction of a bridge over Short Sand Beach Creek on the Short Sand Beach Creek Section of the Oregon Coast Highway, in Tillamook County. The Commission received only three bids for this job, the low one being that of E. F. and W. F. Philpott, Portland, at \$12,136.00. The second low bid was that submitted by Curtis Gardner, Twin Rocks, at \$15,880.00. The Commission has awarded the contract to the low bidders, E. F. and W. F. Philpott, at their bid price of \$12,136.00.

"McMinnville Section of the Pacific Highway West, in Yamhill County. 2.03 miles grading and Portland cement concrete pavement, and 0.45 mile asphaltic concrete pavement. The low bid was submitted by Jacobsen-Jensen Company, Portland, at \$106,271.50, based on the use of road oil. They did not submit a bid based on the use of tar. The second low bid was that submitted by Mountain States Construction Company, Eugene, at \$108,161.00, based on the use of road oil. This company also did not submit a bid based on the use of tar. There were four higher bidders. The Commission awards this contract to the low bidder, Jacobsen-Jensen Company, at their bid price of \$106,271.50, based on the use of road oil.

"Sale of bridge steel salvaged from the old steel bridge which formerly spanned the South Yamhill River on the Pacific Highway West, about four miles south of McMinnville, Yamhill County. The Commission received only one bid for the purchase of this material, being that of the American Hardware and Supply Company, at \$6.00 per ton. The Commission considers that this offer is satisfactory and has sold the material to this company at its bid price.

"Sale of house in Roseburg formerly owned by John R. Kelly and located on the new Pacific Highway right of way. The high bid was submitted by George Lammers, Eugene, at \$72.00. The only other bid received was that of J. H. Bosard, Roseburg, at \$32.00. The Commission has accepted the bid of Mr. Lammers and has sold the building to him at his bid price of \$72.00."

The Engineer reported that in accordance with authority previously granted him by the Commission he awarded contracts as follows, the conditions of the awards having been satisfied:

Resurfacing and furnishing crushed gravel in stock pile for the Wilson Ranch-Paradise Creek Section of the Umpqua Highway, in Douglas County. Awarded on May 29, 1937, to Roy L. Houck, Salem, who submitted the low bid therefor of \$45,332.00 on April 27, 1937.

Construction of five bridges and three culverts on the East Unit of the Jordan Creek Section of the I.O.N. Highway, in Malheur County. Contract awarded on June 1, 1937, to J. F. Johnston, Newberg, who submitted the low bid therefor of \$40,923.00 on April 28, 1937.

Grading the East Unit of the Jordan Creek Section of the I.O.N. Highway, in Malheur County. Contract awarded June 1, 1937, to the Consolidated Highway Company, Inc., Portland, who submitted the low bid therefor, in the amount of \$94,692.36, on April 28, 1937.

The Commission by unanimous vote approved the award of these contracts as reported by the Engineer.

A delegation, consisting of County Clerk J. T. Graham, Columbia County, former County Judge Rutherford, and Lawrence Meissner, all of St. Helens, conferred with the Commission in regard to the improvement of the Lower Columbia River Highway. They gave as their understanding that the Highway Commission is unable to proceed with the improvement of this highway between Scappoose and Multnomah County Line because of inability to secure right of way through a certain cemetery. They said that they did not want Columbia County to lose this expenditure altogether and suggested, in lieu of the proposed project, that the Commission undertake another starting at the town of Scappoose and extending northerly toward St. Helens. Chairman Cabell advised that the Commission wanted very much to construct the section south of Scappoose this year, but that appears now to be an impossibility because of the cemetery situation. He further stated that the Commission would consider the construction of a portion of the Scappoose-St. Helens section in the event that it cannot proceed with the other job, but no promises can be made at this time. It was his thought that the Commission would simply have to wait until the cemetery situation has been clarified, because of the importance of this project.

The delegation also asked for certain improvements at a bridge near Deer Island. Mr. Graham pointed out that a hazardous condition exists at this place because of excessive curvature in the highway at the bridge approaches. The Commission took the matter under advisement.

Mr. George Buck, County Roadmaster, Multnomah County, was present in regard to the extension of Lombard Street, Portland, easterly as a secondary state highway. He gave as his thought that it would be much better and cheaper to extend this street on the south side of the O.W.R. & N. railroad tracks than to improve the present road known as Columbia Boulevard, which is located on the north side of the railroad at this point and involves crossing the railroad tracks at several places. He mentioned that some provision would have to be made, of course, for a crossing of the railroad near Forty-second Street, which is the route to Portland's new airport. He also mentioned that it would be advisable to route the highway easterly from Seventy-second Street along Killingsworth Avenue to a connection with Sandy Boulevard, a distance of about one-half mile. He advised that the Multnomah County Commissioners are willing that the \$100,000 of state secondary funds which has accumulated to Multnomah County's credit be applied to construction on this proposed secondary highway.

The question of right of way was also discussed. Mr. Buck pointed out that this new route has not been established as a county road and they are

wondering whether or not the state will acquire the right of way. The State Highway Engineer suggested that this new road be established by the county as a county road and that the right of way be acquired by resolution; the county to be reimbursed by the state for the cost thereof when the prices have been checked by the state's head right of way man. He also suggested that such reimbursement should be by a commercial voucher so that it would not be necessary for the county right of way man to be carried on the state's pay roll.

After discussion the Commission approved the Engineer's suggestions by unanimous vote, with the understanding that the state is not bound by such agreement until the Commission has had an opportunity to pass on the prices of the various parcels of property and until it has been determined by the Attorney whether or not the Commission can reimburse the county for the cost of acquiring right of way by resolution. The Attorney was instructed to look into this feature at once and to advise Mr. Buck relative thereto.

The Engineer was authorized by the Commission to conduct surveys of this proposed road as may be necessary to augment those already made by Mr. Buck. He was also authorized to extend such surveys to include the proposed railroad grade separation project near Forty-second Street, the road to the airport.

Landscape Engineer George Otten was present and reported that the plans for the Condon Landscaping Project are completed and that he hoped to have this work started some time next week. He was instructed to pass the information on to the people of Condon.

Mr. Otten also reported that plans for the Birdseye Spring Landscaping Project in Jackson County are practically ready and that work on this project would be started in about two weeks. He was instructed to convey such information to County Commissioner Ralph Billings of Jackson County.

The Commission also discussed with Mr. Otten the matter of landscaping along the Pacific Highway just south of the Ashland undercrossing. It was decided that about all that is necessary to do at this place is to construct some steps, round off the cut slopes, plant some natural growth plants that will thrive without any special care, and make a general clean-up of the right of way so that it will present a good appearance. The Landscape Engineer was instructed to confer with County Commissioner Billings in regard to this project and ascertain whether or not an improvement along such lines would be satisfactory.

In connection with these matters the State Highway Engineer was instructed by the Commission to ascertain from Mr. W. H. Lynch, District Engineer, Bureau of Public Roads, whether or not it would be possible to secure federal moneys to finance the construction of the proposed William Hanley oasis on the Lakeview-Burns Highway, at Wagontire.

The Landscape Engineer requested authority to make the following improvements as W.P.A. projects: (1) Maintenance of roadside planting along

Barbur Boulevard; (2) continuation of snow fence construction at Oneonta Gorge; (3) landscaping and roadside improvement at entrances to Gresham. He explained that the state's contribution to projects 1 and 2 would consist of furnishing trucks only but the state would also have to furnish a small amount of shrubbery in connection with project 3; further, that the total cost of all three projects comes within the tentative allotment of \$50,000 which has been budgeted for expenditure in 1937 for projects of this kind. The Commission approved the request by unanimous vote upon recommendation of the State Highway Engineer.

The Engineer reported the result of his investigation of the wage rates that are being paid by the states of Washington and California for men employed on field construction crews, and by private employers in Oregon for similar service, as compared to rates that are being paid by the Oregon State Highway Department, as previously instructed by the Commission. He said that such investigation reveals that the rates being paid in Oregon are approximately 10 per cent lower than the rates that are being paid by the other states and by private employers. He recommended, therefore, increasing the rates of pay in Oregon to correspond to the others and presented with such recommendation new salary schedules, as follows, which, after discussion, the Commission adopted by unanimous vote, said new rates to be effective as of June 1, 1937:

#### PROPOSED WAGE SCHEDULE "A"

##### Section Maintenance Crews

Classification	Present Rate	Proposed Rate
Section Foreman	\$120.00	\$150.00
Section Foreman's Helper	.60 #100.80	.65 #109.20
Laborer	.50	.50
Truck Driver (1½ T. or less)	.50	.55
Truck Driver (Over 1½ Ton)	.55	.60
Motor Grader Operator	.55	.60
Pull Type Grader Operator	.50	.55
Travelling Motor Grader Operator	.60	.65
Travelling Pull Type Grader Operator		.60
Bulldozer Operator	.85	.90
*Rotary Snow Plow Operator	.65 #109.20	.70 #117.60
*Rotary Snow Plow Operator's Helper	.55 # 88.40	.60 #100.80
Man, Team and Mower	.90	.90
Teams (per head)	.20	.20

# Equivalent monthly rate for purpose of comparison

\* Except where shop employees are assigned, in which case they will receive their regular shop rate if in excess of the rate shown above

#### PROPOSED WAGE SCHEDULE "B"

##### Extra Gangs

Classification	Present Rate	Proposed Rate
Foreman (Large Crews)	\$150.00	\$150.00
Working Foreman (Small Crews)	.60 #100.80	.65 #109.20
Crane Operator	1.00	1.00
Shovel Operator	1.00	1.00
Pitman	.50	.50
Loader Operator	.65	.70
*Rotary Snow Plow Operator	.65 #109.20	.70 #117.60
* " " " " Helper	.55 # 92.40	.60 #100.80
Mechanic	.70 #117.60	.75 #126.00
Tractor Operator (2 T. or over)	.65	.70
Tractor Operator (Under 2 Ton)	.50	.55
Truck Driver (1½ T. or less)	.50	.55
" " (Over 1½ Ton)	.55	.60
Motor Grader Operator	.55	.60
Pull Type Grader Operator	.50	.55
Bulldozer Operator	.85	.90
Rollerman	.65	.70
Flagman	.50 # 84.00	.50 # 84.00
Laborer	.50	.50
Teamsters	.50 # 84.00	.50 # 84.00
Team, Man and Mower	.90	.90
Teams (per head)	.20	.20
Blacksmith	.65	.70
Pumpman	.50	.55
Carpenter	.65	.70
Powderman	.70	.75
Painter	.55	.60
Jackhammer Man	.65	.70
Miner	.65	.70
Miner's Helper	.50	.55
Stone Mason	.80	.80
Stone Mason's Helper	.55	.60
Rock Driller	.50	.55

# Equivalent monthly rate for purpose of comparison

\* Except when shop employees are assigned, in which case they will receive their regular shop rate if in excess of the rate shown here

## PROPOSED WAGE SCHEDULE "C"

Paving Plant Crews

Classification	Present Rate	Proposed Rate
General Foreman	\$215.00	\$215.00
Timekeeper	145.00	145.00
Street Foreman	170.00	170.00
Watchman	115.00	115.00
Plant Foreman	.70	.75
Laborer	.50	.55
Truck Driver	.55	.60
Rollerman	.70	.75
Raker	.70	.75
Apprentice Raker	.60	.65
Shoveler	.55	.60
Burner (Street)	.55	.60
Paintman	.55	.60
Flushcoater	.55	.60
Tamperman	.50	.55
Flagman	.50	.55
Kettleman	.55	.60

PROPOSED WAGE SCHEDULE "D"Oiling Crews

Classification	Present Rate	Proposed Rate
General Foreman	\$215.00	\$215.00
Surface Foreman	170.00	170.00
Timekeeper	145.00	145.00
Assistant Timekeeper	115.00	115.00
Boilerman	145.00	145.00
Retort Operator	170.00	170.00
Night Watchman	115.00	115.00
Spot Foreman	.65	.70
Shovel Operator	1.00	1.00
Pitman	.50	.55
Loader Operator	.65	.70
Mechanic	.75 #126.00	.80 #134.40
Tractor Operator (Broom)	.55	.60
Truck Driver (1½ Ton or less)	.55	.60
Truck Driver (Over 1½ Ton)	.60	.65
Truck Driver (Oilers and Tenders)	.65	.70
Motor Grader Operator	.65	.70
Pull Grader Operator	.60	.65

# Equivalent monthly rate for purpose of comparison

(Continued on next page)

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## (Proposed Wage Schedule "D", continued)

Classification	Present Rate	Proposed Rate
Rollerman	.65	.75
Leverman	.65	.70
Flagman	.50	.55
Pilot Car Driver	.50	.55
Laborer	.50	.55

PROPOSED WAGE SCHEDULE "E"Bridge Maintenance Crews

Classification	Present Rate	Proposed Rate
Bridge Superintendent	\$200.00	\$200.00
Bridge Foreman	\$165.00	165.00
Assistant Bridge Foreman	135.00	135.00
Carpenter	.70	.70
Assistant Carpenter	.60	.65
Bridgeman	.55	.60
Pile Driver Operator	.85	.90
Assistant Pile Driver Operator	.65	.65
Truck Driver (1½ Tons or less)	.50	.55
Truck Driver (Over 1½ Tons)	.55	.60
Laborer	.50	.50
Stone Mason	.80	.80
Painter	.70	.70

PROPOSED WAGE SCHEDULEState Highway Shops

Classification	Present Rate	Proposed Rate
Master Mechanic	\$300.00	\$300.00
Shop Foreman	175.00	185.00
Machinist (Working Foreman)	.80	.90
Machinist	.75 #126.00	.80 #134.40
Mechanic, 1st class	.75 #126.00	.80 #134.40
Mechanic, 2d class	.70	.75
Mechanic's Helper	.60	.65
Electrician	.75 #126.00	.80 #134.40
B-Smith (Working Foreman)	.75	.80
B-Smith	.70 #114.60	.75 #126.00
B-Smith Helper	.60 #100.80	.65 #109.20

# Equivalent monthly rate for purpose of comparison

(Continued on next page)

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## (Proposed Wage Schedule for State Highway Shops, continued)

Classification	Present Rate	Proposed Rate
Welder	.70 #117.60	.75 #126.00
Carpenter (Working Foreman)	.75	.80
Carpenter	.70	.75
Trimmer	.70	.75
Painter	.60 #100.80	.65 #109.20

# Equivalent monthly rate for purpose of comparison

PROPOSED WAGE SCHEDULETraffic Line Crews

Classification	Present Rate	Proposed Rate
Foreman	\$150.00	\$150.00
Head Lineman	.55	.60
Paint Machine Operator	.60	.65
Lineman	.50	.55

The matter of continuing improvements in Champoege State Park was brought up for discussion by Landscape Engineer George Otten. He said that Mr. Milton Miller, Chairman of the Champoege Park Commission, is still ordering work to be done in this park and he inquired whether or not the Commission wishes to continue the sponsorship for such work, which is being done as a W.P.A. project. The Commission decided not to sponsor any more work in this park because its W.P.A. project for the construction of a road leading from Butteville to the park did not materialize, and particularly because there is a question whether the Commission has legal authority to spend state highway funds in this area. The Engineer was instructed by the Commission to inform the W.P.A. authorities and the Champoege Park Commission that the State Highway Commission is withdrawing from sponsorship of this project and will no longer be responsible for expenditures made in connection therewith.

The Commission had under consideration the needs and requirements of the revolving fund provided under Section 44-156, Oregon Code 1930, as amended by Chapter 87, Oregon Laws, 1937, and was of the opinion that the said revolving fund should be increased as provided in said act and should be maintained for the purposes and pursuant to the conditions and requirements of said act. Thereupon, Commissioner Aldrich offered the following resolution and moved its adoption:

WHEREAS, under the provisions of Section 44-146, Oregon Code 1930, the Secretary of State is authorized, upon order of the Highway Commission, to draw a warrant on any fund belonging to the state highway fund in favor of the state highway engineer in the

sum of \$75,000, said sum to be designated as an emergency or revolving fund and to be maintained for the use of the state highway engineer in payment of wages due employees who may quit on short notice or be discharged from the Commission's service, or to enable the engineer to promptly meet other payroll or emergency claims, or to secure trade discounts by prompt payment of all claims; and

WHEREAS, pursuant to the provisions of said act, and in response to an order of the Highway Commission heretofore made, the Secretary of State drew a warrant on the proper fund in favor of the state highway engineer for the said sum of \$75,000; and

WHEREAS, said act was amended by the legislature meeting in the 1937 session, which amendment is found in Chapter 87, Oregon Laws, 1937, by which the Secretary of State is authorized, upon order of the Highway Commission, to draw a warrant on the state highway fund in the sum of \$150,000; and

WHEREAS, in the opinion of this Commission, the best interests of the State will be promoted by making available to the state highway engineer as a revolving or emergency fund under said act the sum of \$150,000;

THEREFORE, BE IT AND IT HEREBY IS RESOLVED, as follows:

1. That the Secretary of State be and he hereby is respectfully requested to draw a warrant on any fund belonging to the state highway fund in the sum of \$75,000, said warrant to be drawn in favor of the highway engineer and to be by him deposited and kept in a fund to be known as a revolving fund or emergency fund and to be used by the state highway commission and the state highway engineer along with the \$75,000 already provided for for the purpose approved by said Chapter 87, Oregon Laws, 1937.

2. That this resolution be attested by the Secretary of the Highway Commission, and thereafter entered in the minutes and records of the Commission, and a duly certified copy thereof delivered by the Secretary of this Commission to the Honorable Secretary of State.

BE IT FURTHER RESOLVED, that the state highway engineer be and he hereby is directed to deposit said sum in the emergency or revolving fund heretofore provided for, and that said funds be disbursed by the engineer pursuant to and within the provisions of said law.

The motion for the adoption of the foregoing resolution was seconded by Commissioner Tou Velle and submitted to the Commission by the Chairman for vote, and received the unanimous vote of all three commissioners. Whereupon, the Chairman declared the motion carried and the resolution adopted.

Commissioner Aldrich brought up the matter of the removal of the unsightly buildings from the Indian village adjacent to the Columbia River Highway at Celilo. He said that the Superintendent of the Umatilla Indian Reservation, Mr. O. L. Babcock, advises that he has funds that could be used to finance the cost of removing these buildings and is anxious to proceed with the work but does not yet have authority to spend his money for such purpose, although he believes he could secure such authority if the State Highway Commission would adopt a resolution requesting the removal of the buildings because they are unsightly, unclean, and detract greatly from the appearance of the highway. He gave as his thought that Mr. Babcock's request should have favorable consideration by the Commission and, accordingly, moved the adoption of the following resolution in regard thereto:

WHEREAS, Indians in large numbers have for a long period of time been in the habit of congregating at Celilo for the purpose of engaging in fishing, and for such purpose the said Indians camp at said site using such facilities as are available and such temporary accommodations as the Indians may provide; and

WHEREAS, the facilities available consist of old shacks which are unsightly, unsanitary and are detrimental to not only the health of the Indians but to the general welfare of the community; and

WHEREAS, while it is not the purpose of the Highway Commission to inconvenience the Indians or interfere with their right to congregate and fish at said place, it is the belief of the Commission that if the Indians are to be permitted to continue to so gather and live in said place better facilities should be furnished, the place should be made sanitary and the unsightliness of present conditions remedied.

THEREFORE, BE IT AND IT HEREBY IS RESOLVED BY THE COMMISSION, all members being present and affirmatively participating, as follows:

1. That the present buildings, structures and shacks at Celilo be removed and the premises cleaned up and made sanitary.

2. That, if Indians are permitted in the future to congregate at said place for fishing or other purposes and while there are permitted to live at said site, facilities or accommodations be provided which will be sanitary, sightly and which will be more in accord with the beauty of the surroundings, and that the ordinary rules of sanitation be observed so that not only will the health and welfare of the Indians themselves be preserved, but the general welfare of the community will be promoted.

3. That this resolution be entered in the minutes of the Commission and a duly certified copy be mailed by the Secretary to Honorable O. L. Babcock, Superintendent of the Umatilla Indian Reservation at Mission, Oregon.

The motion was duly seconded by Commissioner Tou Velle and was adopted by the Commission by unanimous vote. The Commission ordered that a certified copy of the resolution be forwarded to Mr. Babcock for his information.

The Engineer advised that the first meeting of the recently appointed committee of highway experts of the United States, of which he is a member, is to be held in Chicago on June 22, 23 and 24, and that Thomas H. McDonald, Chief of the Bureau of Public Roads, has requested his attendance at such meeting, the expenses of which are to be paid by the Federal Government. He inquired as to the wishes of the Commission in regard thereto. The Commission by unanimous vote authorized the Engineer to attend this meeting.

The Engineer also advised that a special meeting of the Committee on Uniform Accounting, American Association of State Highway Officials, is to be held in Ames, Iowa, on June 22, 1937. He requested authority for Office Engineer S. H. Probert to attend such meeting at state expense. The Commission granted the request by unanimous vote, subject to approval by Governor Martin.

The Commission adjourned at 5:00 o'clock p. m., to reconvene at 9:00 o'clock on the following morning in the Benson Hotel.

Portland, Oregon, June 4, 1937.

The State Highway Commission reconvened at 9:00 o'clock a. m. in the Rose Room of the Benson Hotel, with all Commissioners, the State Highway Engineer, the Attorney and the Secretary present.

Mr. Ed W. Miller, Manager, Oregon Coast Highway Association, came before the Commission in regard to the Olive M. Lee property, situate adjacent to the Oregon Coast Highway, between Rocky Creek and Otter Crest, in Lincoln County, a portion of which property is needed by the state as right of way in revising this particular section of this highway, and the balance of which the state is contemplating acquiring for park purposes to fill out the present park at this location. Mr. Miller stated that he is interested in this matter simply because it was largely through his influence that Mrs. Lee invested her money in this property, and he believed that he could be of considerable assistance to the state in acquiring the property at reasonable cost. He advised that Mrs. Lee owns about 50 acres of land, which she contemplates subdividing into lots. In fact, the surveys for the subdivision have already been made but the plat has not yet been recorded in the county records, due to the fact that Mrs. Lee understood that the state needed a portion of her land and she did not want to dispose of any of her holdings until the state had decided just how much it wanted. He gave as his understanding that the new location of the highway would cut off some 15 or 20 acres of Mrs. Lee's property and would damage the same considerably for platting purposes; consequently, Mrs. Lee is demanding more for such portion than she would otherwise. He said that Mrs. Lee wants \$15,000 for the right of way and the property which lies between the old and the new highway locations, but she

did not set a figure on the right of way alone; but he believes that she would ask more for such portion than if the state took her entire holdings. He also said that Mrs. Lee has had some very attractive offers for her property, so the Commission will have to make its decision at an early date.

In the discussion of this matter it was pointed out that about 20 acres of Mrs. Lee's land will be needed for right of way. Chairman Cabell gave as his thought that the Commission should have an estimate of the cost to acquire the right of way alone, so that a comparison can be made with the cost to acquire the entire 50 acres, before making its decision; also, that the Commission should have the benefit of the State Parks Superintendent's ideas relative to the value of the balance of the property for park purposes. Commissioners Aldrich and Tou Velle concurred and the Engineer was accordingly instructed to secure such information for consideration by the Commission at its next meeting. Mr. Miller advised that he would endeavor to secure the consent of Mrs. Lee to the postponement of the sale of any of her property for the next thirty days, pending the taking of definite action by the Commission on the acquisition of all of her property.

Senator Milton Miller, President of the Champoege Park Commission, came before the Commission at this time and asked the Commission to sponsor additional W.P.A. work in Champoege State Park. He said that the Champoege Park Commission needs the Highway Commission's moral support; that the opposition to the improvements in the park has ceased and that the Park Commission wants the Highway Commission simply to sponsor another project in order to keep the work progressing. Chairman Cabell advised that the Commission previously considered this matter and decided that it would not sponsor any additional work in this park because, in the first place, there is a question whether or not the Commission has legal right to spend state money for such purpose, and, secondly, because the State Highway Commission has been severely criticized in the past for work that it has done in this park, and does not wish to again be placed in that position.

Senator Miller urged reconsideration of the matter by the Commission but did not receive favorable response.

The Engineer reported on the cost to complete the State-wide Planning Survey, as instructed by the Commission on the previous day. He said that the original estimated cost to do this work was \$355,000, but as the work progressed the Bureau of Public Roads found it necessary to make certain changes and additions to its requirements so that indications are that the cost of the work will be considerably more than was originally anticipated. He further advised that the amount of funds on hand is sufficient to carry on the work until September 1, but it will have to cease at that time unless the Federal Government will permit the obligating of 1939 federal funds, or unless the Commission will approve the outright expenditure of state money for such purpose. He also said that Mr. Fairbanks, who is in charge of this work for the Bureau of Public Roads, Washington, D. C., is very anxious for the survey to proceed to completion and recently advised, orally, that the Government would reimburse the state for expenditures from the 1939 fiscal year federal moneys; so, if the Commission will advance the cost of the surveys pending availability of the government moneys, the possibilities are that the

Government will acknowledge the same and will reimburse the state in the amount so advanced, although he has no definite assurance that that will be done. He questioned the advisability of proceeding with the survey on such uncertain information and gave as his thought that the Commission should have more definite assurance from the Government before advancing state money for this purpose. He suggested that a telegram should be sent to the government officials requesting confirmation of Mr. Fairbanks' statements. The Commission concurred and instructed the Engineer to secure such information through Mr. W. H. Lynch, District Engineer, Bureau of Public Roads, by telegram, with the understanding that the Commission will base its decision on the reply received.

The Commission had under consideration the matter of approving final payment to the contractors for the construction of the Yaquina Bay Bridge on the Oregon Coast Highway at Newport, and the Engineer's report on a discrepancy in the amount of cement used in this bridge work and the outstanding claims for labor. The Engineer advised that the records indicate that there was a discrepancy of 212 sacks of cement in favor of the contractor, which, in his estimation, is insignificant, in view of the fact that more than 175,000 sacks of cement were used in this job, and he would recommend approval of the final payment to the contractors were it not for the outstanding labor claims which aggregate several thousand dollars. He also said that there is a question in his mind whether or not the Commission should make final settlement to the contractors until these claims have been satisfied, especially in view of the fact that the structure is being financed in part with P.W.A. grant moneys, of which there is still approximately \$400,000 due from the Government. He pointed out that final payment to the contractor will amount to approximately \$48,000 and suggested that it might be satisfactory to pay them about \$40,000 and retain the balance until the labor claims have been disposed of; or, make payment in full to the contractors if they will deposit with the Commission their certified check in an amount sufficient to cover all of the claims, such check to be held until the P.W.A. authorities have made their final investigation of the project and have passed it for approval. He suggested that a certified check in the amount of \$5,000 would be sufficient.

The Attorney approved the plan suggested by the Engineer, which, he said, would enable him to file an application with the P.W.A. authorities for the balance of the grant moneys. He suggested, however, that full information in regard to the discrepancy in the amount of cement used and the claims should first be brought to the attention of Mr. C. C. Hockley, State Director, Public Works Administration, and his approval to the method of settlement obtained. After considerable discussion from all angles the Commission, by unanimous vote, approved payment in full to the contractor on the condition that the contractor will deposit with the Commission a certified check in the amount of \$5000, which is to be held until the claims have been satisfied and subject to the further condition that the method of payment is approved by the P. W. A. officials. Chairman Cabell, the Engineer, and the Attorney were authorized to discuss this matter with Mr. Hockley at the earliest opportunity. The Attorney was instructed to prepare a form of agreement between the state and the contractor covering the entire matter.

Mr. Elmer Bankus, Brookings, was present in regard to selling to the state a 30-acre azalea tract located near the Oregon Coast Highway at Brookings, in Curry County. In this connection the Secretary presented an option signed by Mr. Bankus in which he agrees to sell this tract to the state at the rate of \$100 per acre if the state will accept the offer within 30 days, and provided the state will grant to the Brookings Land and Townsite Company, owners of the Brookings Water System, a perpetual easement for the construction and maintenance of water lines of said company over the area in question and will let the present owner retain possession of all buildings and appurtenances now existing upon the premises. The Commission indicated a favorable attitude toward the purchase of this property at the price quoted but declined to make a definite statement in regard thereto until the property has been surveyed and until a recommendation has been received from the State Parks Superintendent. Accordingly, by mutual consent, the duration of the option was extended 60 days, making it a 90-day option. Mr. Bankus agreed to such extension, provided the Commission will have the survey of the property started within two weeks from this date. The option was amended accordingly.

Mr. Bankus also discussed with the Commission the matter of doing some excavating work on the state highway right of way at the north end of the bridge over the Chetco River at Brookings. He said that he is building a road-way from Brookings up the Chetco River, a distance of 10 miles, to a certain recreational area that he is developing and that the work has progressed now to a point where it is necessary to do some excavating work on the highway in order to provide a proper connection with his road. He inquired whether or not the Commission would perform the work, which includes some rock excavation, where it is on the highway right of way, if he will pay the cost thereof. The Engineer estimated that such work would cost about \$500. After considerable discussion the Commission agreed to perform the work with state forces where such work is within the highway right of way limits, provided Mr. Bankus will deposit with the Commission in advance a certified check in the amount of \$500 to pay the cost thereof, and provided, further, that Mr. Bankus will furnish the state with public liability and property damage insurance in the amounts of \$50,000/\$100,000 and \$10,000, respectively, to relieve the Highway Commission from liability in the event of an accident occurring by reason of these operations, and to furnish also a surety bond in the amount of \$1,000 to insure repairs to the highway, as may be necessitated on account of such activity. The Attorney was instructed to prepare an appropriate form of agreement covering the matter.

At 10:45 o'clock a. m. the Commission went to Albany to conduct a public hearing relative to the rerouting of the Pacific Highway through that city. The following routine matters were disposed of enroute, all members, the Attorney, the State Highway Engineer and the Secretary being present:

The Engineer discussed with the Commission the request of the Pacific Telephone Company for permission to erect signs on state highway rights of way directing people to public telephone stations. He suggested that a decision in this matter be deferred pending the meeting of the highway specialists in Chicago on June 22. He said that he would like to talk this over with these engineers and ascertain their ideas before making any recommendation to

the Commission in regard thereto, if that is agreeable to the Commission. The Commission approved the Engineer's suggestion and authorized him to discuss the matter with such highway officials.

The Engineer also brought up for discussion the matter of the use of the word "alternate" in describing U. S. highway routes when such routes divide, such as Pacific Highway East and Pacific Highway West. He recommended strongly that the word "alternate" be not used in such descriptions and requested authority from the Commission to discuss this matter also with the state highway officials at the meeting in Chicago. The Commission concurred in the viewpoint of the Engineer and authorized him to convey these ideas to the engineers in Chicago and secure their support.

The Commission had under consideration the matter of the indemnity bond to be furnished in connection with the proposed agreement with the O.W.R. & N. Company, providing for snow removal in the Columbia Gorge. The Attorney reported on this subject and recommended the purchase of such insurance covering a 3-year period, the premiums to be written on a 3-year basis, payable 50%, 30% and 20%. The Commission approved the recommendation by unanimous vote subject to inspection and approval of the policies when they are received.

The Attorney reported on the status of securing a declaratory judgment from the Supreme Court in regard to the expenditure of state highway funds for the improvement of county roads that are to be included in the Federal Aid Secondary Highway System. He said that Tillamook County is willing to act as plaintiff in this case, which will be an action against the Secretary of State, but the Secretary of State has indicated an unwillingness to act as defendant, although he will recognize, and pass for payment, vouchers payable for work accomplished on such county roads if the Attorney General will give him a written opinion to the effect that such expenditures are legal. He recommended, therefore, that the proceedings to secure a declaratory judgment be dismissed pending receipt of such opinion from the Attorney General. The Commission approved the recommendation by unanimous vote.

The Engineer discussed with the Commission the proposed agreement with the City of Portland providing for the maintenance by the state of certain streets in Portland which are used by state highway traffic. He said that the city now wants the Commission to maintain certain footpaths and side walks as well as the pavement and advised that, in his opinion, the Commission should refuse to do this, but the Commission might compromise by agreeing to maintain certain structures on these streets. The Commission indicated concurrence in the Engineer's suggestion as a basis for further discussion with the Portland city officials.

The Engineer reported that several accidents have occurred on or near the bridge over the Necanicum River at Mile 28.18 on the Oregon Coast Highway, in Clatsop County. He said that this is an old structure consisting of an 80-foot steel truss span, with 74 feet of untreated timber approaches, with a clear roadway of only 15' 4"; that its carrying capacity is ample for legal weight loads but there is a question in his mind whether or not it

should be renewed in the near future in view of the fact that it is on the section between the end of the Wolf Creek Highway and Seaside, which will be subject to much heavier traffic when the Wolf Creek Highway is opened to travel. He estimated the cost of a new structure at \$25,000. The Commission decided to give this project preference in its next construction program.

The Engineer reported on the cost to construct a nonskid wearing surface on Sherman Avenue in North Bend, Coos County. He said that a resurfacing job with a cutback plant mix 1" in depth would cost about \$17,200, whereas a simple resurfacing job would cost about \$12,000. He recommended that the work be included in next year's program, to be financed with federal funds. The recommendation was approved by the Commission by unanimous vote. The Secretary was instructed to inform the North Bend Chamber of Commerce that the Commission regrets that it is necessary to postpone this project this year but considers that a simple nonskid oil surface is inadequate from the standpoint of both durability and appearance, but has hopes to be able to do a better job next year.

The Commission discussed the matter of improvements to the Siletz Secondary State Highway, in Lincoln County, and a report of Division Engineer F. D. Eason in regard thereto, which indicates that it would cost about \$59,000 to surface the road and put it in usable condition for traffic the year round. The Commission deferred action on this matter pending consultation with the County Court of Lincoln County. The Secretary was instructed to invite the County Court to be present at the next regular meeting of the Commission for a discussion of this matter and also for discussion of the matter of payment of the county's indebtedness to the state, amounting to about \$16,000.

The Commission considered and ordered filed for future attention the report of the Engineer on expenditure made during the years 1934 to 1936, inclusive, and estimated expenditure in 1937, on the Pacific Highway East compared with the Pacific Highway West.

The Commission considered a report from the Engineer on the advisability of constructing a maintenance headquarters station in the town of Maupin, and the offer of the city of Maupin to donate a site for such maintenance station. The Engineer advised that Maintenance Engineer J. N. Bishop inspected the site and reported that there is a question in his mind whether the Highway Commission should definitely establish a maintenance station in this town at this time inasmuch as there is a possibility that the Commission will take over additional secondary highways in Wasco County, in which event the logical location for a headquarters site would be at the junction of the Wapinitia and Warm Springs Highways or at Tygh Valley, which would permit doing away with the section headquarters now being maintained at Dufur. On the other hand, there is a possibility that the Commission would take over the highway between Maupin and Shaniko through the Bakeoven country, in which event the establishment of maintenance headquarters at Maupin would be justified. In view of this report, the Commission decided to defer its decision in this matter until later.

The Commission considered a report from the Maintenance Engineer in regard to the request of Glencullen Community Center for a change in the wording of the highway signs in their vicinity from "Fairvale" to "Glencullen" so as to conform to the new name of their postoffice. It was the Maintenance Engineer's thought that the sign should be changed inasmuch as there is no longer a postoffice called "Fairvale". The Commission appeared favorably inclined but deferred a definite decision in the matter pending the securing of recommendations from Lewis A. McArthur, Secretary of the Oregon Geographic Society, and the County Court of Washington County.

The Commission also considered a report from Bridge Engineer G. S. Paxson in regard to the lighting of Tooth Rock Tunnel on the Upper Columbia River Highway, near Bonneville. Mr. Paxson reports that the tunnel will be completed about August 1 and that the section of highway just east of Bonneville will be opened to traffic soon thereafter. Also, that arrangements have been made with the contractor to install parkway cable connecting the tunnel with the electric power supply at Bonneville Dam, which power is to be furnished without cost to the state; but it now appears that this power will not be available until about January 1, 1938. He further reported that the contract for the light installation calls for the testing of all equipment and the contractor has arranged to secure power for this testing from the West Coast Power Company, which necessitates the temporary installation of suitable transformers so that power for the lighting of the tunnel will be available at close hand if the Commission wants to use it pending the availability of power from Bonneville. He advised that he has conferred with the West Coast Power Company as to the cost of lighting the tunnel and they have quoted him approximately \$450 per month to operate with full intensity, or about \$260 per month if the candle power is reduced approximately 50%, which would mean a total expenditure of about \$1800 compared to \$1100 on the basis of four months' operation. He inquired whether or not he should arrange for such lighting or leave the tunnel unlighted until the Bonneville power is available.

The State Highway Engineer gave as his thought that the tunnel should be lighted in order to reduce the possibility of accidents; accordingly he recommended that arrangements be made to light the tunnel at one-half intensity as a trial proposition, and if this does not prove satisfactory, that the candle power be increased to full intensity. The Commission approved the recommendation by unanimous vote.

The Engineer reported that during the past few months he has received a number of rather insistent demands for the installation of automatic signal devices for the protection of traffic at various railroad grade crossings. He presented the following list of such crossings and recommended that the signals be installed at each as a part of the 1938 grade crossing program. He estimated that the signals would cost about \$2,500 each, or a total of about \$35,000, and gave as his thought that this expense could be absorbed in the 1938 program without noticeable effect. After due consideration the Commission approved the recommendation unanimously.

(Program on following page)

(List of grade crossings approved for automatic signal devices, 1938 program:)

<u>Location</u>	<u>Highway</u>	<u>Railway</u>
1. Redmond	Ochoco Highway	Oregon Trunk
2. Skipanon	Oregon Coast Highway	S. P. & S.
3. Olene	Klamath Falls-Lakeview	O. C. & E.
4. Carlton	Tualatin Valley Highway	Logging Ry.
5. Carlton	Tualatin Valley Highway	Logging Ry.
6. Gwynn (E. of Lostine)	Wallowa Lake Highway	O. W. R. & N.
7. Burns	Central Oregon	Logging Ry.
8. Burns	Central Oregon	Logging Ry.
9. East of The Dalles	County Rd. to oil tanks	O. W. R. & N.
10. Portland	Richardson Ave. near Col. Blvd.	O. W. R. & N.
11. Portland	Kelly Ave. near Hamilton St.	Oregon Elect.
12. Portland	Brier Place near Logan St.	Oregon Elect.
13. South of Sheridan	McMinnville-Tillamook	Sou. Pac.
14. North of Willamina	McMinnville-Tillamook	Sou. Pac.

The Commission considered a suggestion from Division Engineer W. C. Williams in regard to oiling the John Day Highway in the vicinity of the town of John Day. He pointed out that the Commission's budget contains an item of \$100,000 for constructing a standard oil surface on the Flat Creek-Geisler Ranch Section, a distance of about 6 miles, and an additional sum for constructing a light oil treatment from Geisler Ranch to the town of John Day. He said that a recent inspection of the Flat Creek-Geisler Ranch Section reveals that it is very stable and is probably in better condition to receive a light oil treatment than the other section eastward, in view of which, in his estimation, it would be advisable to place a light oil treatment on this section and reallocate the \$100,000 to other sections of the John Day Highway, which will not stand oiling without reconstruction. He suggested that \$15,000 of this amount be added to the \$35,000 heretofore budgeted by the Commission to construct the Kinzua Junction-Butte Creek Ranch Section, which would provide for the oiling of this section rather than just the grading and the surfacing of the same, and that the remaining \$85,000 be spent either to improve the Service Creek-Spray Section or to grade and gravel a portion of the John Day-Prairie City Section as far as the money will go. He stated a preference for the improvement of the John Day-Prairie City Section because that would please the people of the John Day Valley more than the other.

The Engineer recommended the adoption of Mr. Williams' suggestion and the construction of the John Day-Prairie City Section rather than the Service Creek-Spray Section. The Commission approved the recommendation by unanimous vote.

The Engineer submitted a report on the cost to demolish the old steel bridge over the South Yamhill River at Whiteson, Yamhill County, which collapsed a short time ago when a truck drove into the south portal, and to construct a temporary trestle for the use of traffic pending construction of a new bridge on permanent alignment at this location. He estimated that all

of this work would cost about \$6,000 and requested instructions as to whether or not he should bill the insurance company for the same. The Commission decided that it would be better to defer billing the company until the Commission has received the company's report on the matter, and it was so ordered.

The Commission had under consideration the establishment of minimum clearances for telephone wires over state highway rights of way and decided by unanimous vote that such clearances should conform to the standard minimum clearances adopted by the Public Utilities Commissioner, which clearances are identical to those adopted by the Department of Commerce, Bureau of Standards, in its "Safety Rules for the Installation and Maintenance of Electric Supply and Communication Lines". The Secretary was instructed to specify such clearances in permits issued hereafter authorizing the construction of power and communication lines on state highway rights of way.

The Engineer reported that the new bridge over the Clackamas River on the Woodburn-Mt. Hood Loop Secondary Highway at Mile Post 34.6, near Estacada, in Clackamas County, has been completed, and the reduced load limit heretofore in effect on the old bridge is no longer required. He suggested that, in order to clarify the records, the Commission take action lifting the reduced load limit, inasmuch as the resolution of the Commission ordering such reduced load limit contained provision that it should remain in effect until lifted by order of the Commission. The Commission thereupon, by unanimous vote, cancelled its previous order in so far as it pertains to this particular bridge. Similar action was taken by the Commission in regard to a bridge over Cougar Creek at Mile Post 10.6 on the Alsea-Deadwood Secondary Highway, in Lane County, which has been replaced by a new structure.

The Commission had under consideration a letter from the Traffic Engineer renewing his request for authority to expend approximately \$2,500 to finance a survey to determine the loss of time and the extra cost to travel through a congested city rather than around it. The Commission was of the opinion that this matter could wait for the time being, and accordingly denied the request. The Commission also cancelled the previous authorization of \$300 made to ascertain whether or not such surveys would be beneficial.

The Engineer reported that the State-wide Traffic Survey is nearly completed, but in order to keep the data up to date it would be necessary to continue the traffic counts at certain control stations, as was done prior to the commencement of the present survey. He advised that the Bureau of Public Roads has intimated that the survey might be extended but up to the present time they have not submitted plans for the same and it is doubtful if they will do so other than to suggest that each state continue its volume counts in order to keep abreast of any fluctuations and changes as to particular roads. He gave as his thought that it would be unwise to discontinue the counts altogether at this stage, and recommended, therefore, an expenditure of \$5,000 of state funds to finance the continuation of counts at certain control points during the balance of this year. The Commission concurred in the viewpoint of the Engineer and accordingly authorized such expenditure.

The Engineer brought up for discussion the authorization for location surveys and the approval of surveys completed. He suggested the following

routine to be followed hereafter in regard thereto: That he be authorized by the Commission to order surveys as may be necessary without going through the formality of first securing the approval of the Commission, except in cases where such surveys are of a controversial nature or are of major importance or involve considerable expense; that a report be rendered to the Commission, at each regular meeting, of the surveys so ordered, so that the Commission will have full knowledge of the same, and can approve or disapprove, as it thinks best, such matter to be carried on the agenda to be disposed of in a manner similar to extensions of time and job acceptances; that when surveys are completed a report on the same be rendered either orally or written, as may be decided by the Commission, same to be accompanied by maps disclosing the layout so that the Commission will have full knowledge of the same; that, in order to reduce the amount of reading matter in the record covering such subject, reference to such surveys be made by number corresponding exactly with the file number of the map in the Salem office, thereby making the information readily available when needed. Such matter to be handled on the agenda in the same manner as authority for surveys.

After discussion and it appearing to the Commission that surveys would be expedited by following the procedure suggested and that there is apparently no serious objection thereto, but, on the other hand, advantages would be gained, the Commission approved the Engineer's suggestion by unanimous vote and so ordered.

The Commission had under consideration the claim against A. Mather, Inc., Clackamas, Oregon, for an overcharge made in connection with the purchase of explosives for highway construction work. It appears that several years ago the Highway Department purchased explosives from this company, for which it paid the sum of \$65.98, and that some of this material was not used, and accordingly was returned to the company for credit and that a credit memo in the sum of \$65.98 was issued, the idea being that this credit would be applied on future purchases made from this company; however, in the interim, Mr. Mather, the owner of the store, died and his estate was probated and settled apparently without any knowledge of the existence of such credit; further, that the store is no longer handling explosives and is not a distributor for any of the Du Pont products; and, while the store is still in existence, it is now owned by a corporation instead of an individual, and the owner refuses to acknowledge the credit, as do likewise the officials of the Du Pont Company, so the question now arises whether or not legal action should be taken to collect the amount of the claim.

The Attorney explained the claim in detail, following which the Commission, after discussion, referred the matter to him with instructions to make another attempt to collect the claim and to cancel it if he is unable to secure any satisfaction.

The Engineer reported a request from Mr. H. H. Fisher, Portland, for permission to construct a log dump along the Willamette River between Eleventh Street and Fourteenth Street, in Oregon City. He recommended that this request be denied because the Water Street route in Oregon City was selected by the Commission as the route of the East Portland-Oregon City Highway, and one

of the main arguments for its selection as such was the beautiful view along the river. It was his thought that the presence of the log dump would detract greatly from the appearance of the highway and would create also an undue hazard to the traveling public. The Commission concurred in the viewpoint of the Engineer and approved his recommendation by unanimous vote.

In this connection the Engineer pointed out that there are a number of places along the Willamette River north of Oregon City that are suitable for log dumps; but logging trucks, in order to use the same, would have to cross over the East Portland-Oregon City Highway, which would create an undue hazard to highway traffic. He suggested that it would be advisable, in order to avoid such hazard, to provide a roadway for such operations under the end of the Abernethy Creek Bridge when this bridge is reconstructed to fit the new highway along Water Street. The Commission approved the Engineer's suggestion and by unanimous vote authorized him to make provision for such roadway in the design for the alteration of this bridge structure.

The Engineer requested authority to purchase the following equipment:

1 pickup truck and 1 light-weight truck for permanent assignment to the State Parks Department, estimated total cost, \$1,350.00;

1 automobile for the State Parks Superintendent and 1 automobile for the Bridge Engineer, and trade in as part purchase price on same two old cars which have outlived their usefulness. He estimated that the net cash outlay would total about \$2,000 for the two cars.

The Commission approved the request by unanimous vote and instructed the Engineer to make the purchases through the State Purchasing Department in the usual manner.

The Commission considered and ordered filed an editorial from the Albany Democrat-Herald regarding the proposed rerouting of the Pacific Highway East through the city of Albany, in which the paper goes on record favoring the route that the State Highway Commission may select.

The Secretary presented a resolution from the Board of County Commissioners of Multnomah County, requesting the designation, as a secondary state highway, of the following described street and road:

Beginning at the intersection of Northeast Sandy Boulevard and Northeast Eighty-second Avenue in Portland, and extending southerly along Southeast Eighty-second Avenue and an extension thereof to the Multnomah-Clackamas County Line, a distance of 6.28 miles.

The Engineer recommended that the request be granted in order that state highway maintenance may be continuous from Oregon City to and through the city of Portland. After discussion the Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Board of County Commissioners of Multnomah County of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways, under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Multnomah County be and the said market road, county road, highway, location, or route hereby is selected, designated, established, adopted and approved as a secondary state highway, and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Cascade Secondary Highway No. 160

Beginning at the intersection of N. E. Sandy Boulevard and N. E. 82nd Street; thence southerly along S. E. 82nd Street and an extension thereof to the Multnomah-Clackamas County Line, a distance of 6.28 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

A resolution was presented from Malheur County Court requesting the designation as a secondary state highway of the county road described as follows:

Beginning at Vale, thence in a southeasterly direction to a connection with the Jordan Valley Secondary Highway at a point approximately 4 miles north of the town of Adrian, a distance of approximately 18 miles.

The Commission ordered the resolution filed for future consideration.

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The meeting was declared adjourned at 1:50 o'clock p. m.

<u><i>James M. ...</i></u> State Highway Engineer	<u>Henry F. Cabell</u> Chairman
<u><i>H. B. Glaisyer</i></u> Secretary	<u><i>E. B. Aldrich</i></u> Commissioner
	<u><i>F. L. Tou Velle</i></u> Commissioner

Albany, Oregon, June 4, 1937

The State Highway Commission met at 2:00 o'clock p. m. in the City Council chambers in the City Hall, in accordance with notice heretofore given the City Council, to secure expressions from the people of Albany relative to the plans of the Commission to reroute the Pacific Highway East through that town. Present were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
J. M. Devers, Attorney  
H. B. Glaisyer, Secretary

Also present were about 200 local citizens.

Chairman Cabell opened the meeting by explaining the purpose thereof and the law which requires the Highway Commission to conduct a public hearing in any city or town before altering or changing the route of any state highway into or through such city or town. He also explained briefly the plans of the Commission for rerouting the Pacific Highway East through Albany. He called upon the Engineer to explain the details of the Commission's plans and the engineering features involved. The Engineer exhibited maps showing the present and proposed routes of the highway through Albany. He also exhibited a model of the proposed improvement. He explained that numerous surveys and exhaustive study have been made of the highway in Albany with a view to eliminating the present circuitous route and to avoid the congestion which now obtains along the present route, which passes through the center of the business district. He advised that a careful study of all routes surveyed reveals that three; namely, Seventh Street, Eighth Street, and Ninth Street, are worthy of consideration and of these three Eighth Street appears to be best from an engineering standpoint. He pointed out that this route extends southerly from a point on the Pacific Highway near the intersection of the county road leading to Butte School and enters the city of Albany at the northerly end of Eighth Street and follows along Eighth Street to a point near the Southern Pacific Depot, thence continues in a southerly direction closely paralleling the Southern Pacific tracks, and crosses the southern city limits near the intersection of Fourteenth and Calapooya Streets and joins the present

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Pacific Highway about half a mile south of the city limits. He advised that the proposed improvement provides for the elimination of the grade crossings of the Southern Pacific tracks by construction of appropriate structures and that it is planned to construct a 4-lane pavement from the junction with the South Santiam Highway to a point near the Southern Pacific Depot on the assumption that this particular section will carry Pacific Highway traffic and Santiam Highway traffic, which will be considerably augmented when the road is completed over the mountains.

Chairman Cabell then invited those present to express themselves, either for or against the project.

Father Waters said he was interested in this matter particularly from the standpoint of safety of children who attend their parochial school located at Ninth and Ellsworth Streets. He inquired whether or not the plans include the construction of a ramp at Baker Street and explained that if such ramp is not constructed traffic will be obliged to take a route that passes their school, which would be hazardous to school children. He urged the construction of the ramp in order to avoid congestion at the school site.

Chairman Cabell explained that the ramp was not included in the original design of this project, but the Commission has it under consideration.

Mr. Clyde Williamson urged the retention of the present route through Albany in behalf of the property owners and businessmen. He filed with the Commission a brief in support of his oral arguments and also filed with the Commission a petition bearing the names of 136 businessmen who are opposed to the rerouting of the Pacific Highway through their city.

Speaking again, Father Waters gave as his understanding that it is the policy of the State Highway Commission to avoid the congested areas in big cities. He inquired whether or not the Commission has made a study of the effect of such policy in the smaller cities and towns and mentioned particularly the town of Woodburn. He suggested that if such study has not been made it might be advisable to do so in order to ascertain the effect that the construction of a highway bypassing a town would have on the town.

Chairman Cabell advised that so far as he knew the Commission has never made a detailed study of this. He explained the Commission's policy in regard thereto as follows:

In the development of the highway system, three stages of construction are to be considered. The first involves the routing of traffic through the main streets of cities and towns; the second routes traffic away from the congested districts and along the streets in the out-skirts; the third stage provides two routes, one of which is for local use and passes directly through a city, while the other bypasses the city entirely and is used primarily by through traffic which does not care to stop. He pointed out that in a number of Oregon cities the second stage has been attained, and, while there is always considerable opposition to the change, it has been his observation that once the highway is rerouted, the attitude of the people of the town

changes in regard thereto when they realize that the damage or injury has not been nearly as great as they anticipated.

Chairman Cabell cited as cases of second stage construction the revisions now being undertaken at McMinnville and Roseburg. He also advised that the Commission realizes that, unquestionably, some property owners will be damaged by changes in highway location, but it appears that that is unavoidable. In determining the route of a highway, he added, the Commission endeavors to see on the one hand the advantages to the general public as compared with the disadvantages to local interests, and, where the disadvantages to such local interests outweigh the advantages to the general public, then the decision of the Commission favors the local interests; however, where there is great benefit and advantage to the general public, and, in the opinion of the Commission, such benefit greatly outweighs the disadvantages to the local interests, then the local interests must be sacrificed. The purpose of the meeting today, he added, is to ascertain what disadvantages would result to local interests by the change that the Highway Commission now proposes through Albany, and the Commission would not have held this hearing today unless it considered that this project had great merit.

The Engineer advised that traffic surveys indicate that between 70% and 80% of Pacific Highway traffic does not stop in Albany and that between 90% and 95% of such traffic either does not stop at all or does so for intervals of fifteen minutes or less.

Mr. Mark Weatherford presented arguments in support of Mr. Williamson's request for the retention of the present highway route through Albany. He declared that there is no question that a change in the highway routing will make or break any city, be it large or small. He recalled that several years ago this question was brought up for discussion in connection with a Public Service Commission hearing for the elimination of the railroad grade separation project at the north city limits of Albany and the evidence produced at that time revealed that investments along the highway amounted to \$1,500,000 and that property values would decrease approximately 75% if the highway route was changed. He mentioned the rerouting of the Columbia River Highway through the town of Rufus, in Sherman County, and declared that, while the highway was changed only a matter of about 50 yards, it "killed" the business in this small town; while, in the neighboring town of Arlington, through which the highway passes, business has multiplied about 10,000%. He predicted that if the Commission changes the route of the highway through Albany, numerous businesses will be ruined, some of which represent investments as high as \$50,000. He discounted the significance of the Engineer's statement in regard to the percent of traffic that stops in cities and towns, because, he said, if the highway were not there, no one would stop. Albany, he said, is particularly interested in tourist traffic, which will not stop unless the highway passes through the town. In regard to traffic congestion, he said that the argument that moving the highway will relieve congestion, in his estimation is false, because congestion is bound to occur wherever you build the highway, and tourist business would thrive in such places. He declared that the rerouting of the highway would damage the town of Albany in two ways; first, that it would ruin the business part of the town by taking

business away from the business district; and, second, the high grade on which the highway is to be constructed will ruin property values and will ruin the tourist business because no one is going to drive off a high ramp in order to transact business in a small town. He suggested that it would be much better to construct the highway at a lower elevation and to pass beneath the tracks of the Southern Pacific Company, similar to the manner in which the railroad and the highway are separated north of Salem. He gave as his thought that the cost of such underground crossing would be small as compared to the cost of the plan now proposed by the Commission. He concluded his presentation by again urging the Commission to retain the present route.

There being no others present desiring to be heard on the subject, Chairman Cabell concluded the hearing by announcing that the Commission will take the matter under advisement and will inform the proper city officials as soon as a decision has been reached, which should be within a short time.

At the conclusion of the hearing one of the local citizens, name unknown, presented eight petitions, bearing the names of 215 property owners and tax payers of the city of Albany, in which the Commission was urged to proceed with the proposed rerouting of the highway because they believe that the proposed change will be of material benefit to the citizens of Albany and the State of Oregon. The Commission ordered the petitions filed for future consideration.

Adjournment was taken at 3:30 o'clock p. m., following which the Commission returned to Salem for the consideration of additional routine matters.

Robert M. ...  
State Highway Engineer

H. B. Glaisyer  
Secretary

Henry F. Cabell  
Chairman

E. B. Aldrich  
Commissioner

J. L. Louville  
Commissioner

Salem, Oregon, June 4, 1937.

The State Highway Commission met at 4:30 o'clock p. m. in the office of the State Highway Engineer, Room 325, State Office Building. Present were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
R. H. Baldock, State Highway Engineer  
H. B. Glaisyer, Secretary  
J. M. Devers, Attorney

The Commission considered a letter from Mrs. C. C. Geer, Regent, Chemeketa Chapter, Daughters of the American Revolution, suggesting that the proposed new bridge across the Willamette River on the West Portland-Hubbard

Highway be named "George L. Curry" Bridge in honor of the last territorial governor. The Commission deferred the naming of this structure until it has been built and instructed the Secretary to so inform Mrs. Geer.

A resolution was presented from Wasco County Court requesting the designation as a secondary state highway of the county road extending from The Dalles-California Highway, at Tygh Valley, through a place known as Wamic, to a connection with the Wapinitia Highway, in Wasco County. The Commission deferred action on this matter pending consultation with the Wasco County Court, when the matter of selection of roads for the Federal Aid Secondary Highway System is discussed.

A letter was presented from Mr. O. G. Emig, Portland, in regard to the condition of the road which leads from the Oregon Coast Highway to Devil's Punch Bowl State Park at Otter Rock, in Lincoln County, one-half mile in length. He declared that this road is in deplorable condition and should be reconstructed and oiled. After discussion the Commission acted favorably on this request and authorized the Engineer to do such work.

The Commission denied the request of the Oregon City Chamber of Commerce for permission to paint a sign reading "Oregon City, First Capital of Oregon, 1849-1852" on the south side of the pedestrian overcrossing which was recently built over and across the Pacific Highway a short distance south of the new Southern Pacific Undercrossing in Oregon City.

A letter was presented from the Arlington Chamber of Commerce urging the straightening and widening of the Columbia River Highway between Arlington and the John Day River. The Commission decided that this project must wait until the proposed revision between Troutdale and Bonneville has been completed, therebeing insufficient funds to finance both projects at the same time.

The Commission considered and referred to the Engineer, with power to act, a letter from the Lake County Chamber of Commerce, requesting that log haulers in Lake County be permitted to transport logs over state highways in that county during Saturday afternoons, which is prohibited under present rulings. (This authority was granted by the Engineer later.)

The Commission considered a letter from Mrs. Ward Cyrus, Albany, requesting that the cement post at the south city limits of Albany, which was removed by the state's contractor when the Albany-Tangent Section of the Pacific Highway was under construction, be replaced at an early date. The Engineer advised that this post was erected by citizens of Albany to support a city entrance sign and it was removed by the contractor during construction operations in 1934, but was not replaced because it did not conform to the Highway Commission's standard for entrance signs. He gave as his thought that inasmuch as the state was responsible for the removal of the post, the state should replace it if the people insist upon that being done. After some discussion the Commission instructed the Engineer to refer the matter to Division Engineer F. D. Eason who is to endeavor to secure the consent of Mrs. Cyrus to leave the post down.

A letter was presented from Mr. Bailey G. Dinkelspiel, San Francisco, expressing his enjoyment of Oregon roadside beauty and courtesies of state officials, and also expressing a dislike for the condition of the Pacific Highway through the Southern Oregon district. The Commission ordered that Mr. Dinkelspiel be thanked for his kindly criticism and that he be informed that the Commission has it in mind to improve the section of the Pacific Highway to which he refers as soon as funds can be spared for the purpose.

The Commission also had under consideration a letter from the Neighborhood Community Club, Portland, opposing construction of the so-called Foot-hills Boulevard as an arterial highway in Portland. The Commission ordered that the communication be acknowledged with thanks and that the club be informed that the Commission will give it due consideration in the further discussion of this matter.

The Attorney brought up for discussion the question of freeway acquisitions along state highways, with particular reference to negotiations now under way along the West Portland-Hubbard Highway. He pointed out the difficulties in making settlements with property owners and the legal complications involved in closing off and preventing the possibility of the future opening of dedicated, platted streets so as not to intersect the new highway when constructed. After consideration, the Commission instructed the Attorney to proceed in this matter upon the basis of securing waivers from abutting property owners where the properties are purchased and of taking legal steps to have existing, dedicated streets and roads, as may be selected by the Engineer, vacated and abandoned at their intersections with the new highway, notwithstanding that it is realized that such attempts might not prove entirely successful.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, with prices that he recommended be paid for each. After careful study the Commission approved the Engineer's request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Bear Creek-Talent Section - Pacific Highway</u>				
4540-Eaton, Willard S.	R/W	0.15	\$200 per a. plus \$26	Gardiner
4539-Davison, William E.	"	0.072	\$200 per a. plus \$34	"
4545-Jackson, Geo. F. and Harry A. Usher, Trustees	"	1.07	\$200 per a. plus \$572.50	"
4547-Pruitt, E. W.	"	0.01	\$200 per a. plus \$26	"
4563-Riddle, Frank E.	"	0.27	\$200 per a. plus \$24	"
4572-Wells, Irene	"	0.95	\$200 per a. plus \$525.90	"
4551-McFadden, Clara E. Est.	"	0.44	\$200 per a. plus \$833.70	"
4546-Hackler, Lorenzo S.	"	0.20	\$200 per a. plus \$560	"
4568-Schuler, Geo. A.	"	1.11	\$200 per a. plus \$378	"
4571-Vetter, Frank	"	0.01	\$200 per a. plus exchange of 0.31 a. of land out- side R/W	"
4559-Powers, Lydia	"	1.97	\$200 per a. plus \$62.90	"
4560-Page, R. S. Estate	"	0.16	\$200 per a. plus \$42.20 minus \$20.50 for lands to be deeded by the state	"
-Spencer, Edw. F. et ux	"	0.26	\$200 per a. plus \$101.80	"
-Federal Land Bank	Gravel Pit	10.92	\$1000 Lump Sum	"
<u>Ashland-Neil Creek Section - Pacific Highway</u>				
4527-Avent, Minnie	Stock Pile	1.53	\$100 Lump Sum	Gardiner
<u>Weston-Elgin Section - Weston-Elgin Highway</u>				
3940-Union County	R/W	0.84	Gratis	Wells
<u>The Dalles Section - Columbia River Highway</u>				
2888-The Dalles, City of	Park Site	1.55	Gratis	Otten
<u>North Roseburg Section - Pacific Highway</u>				
4628-Eppinger, Hanna W.	Slope Easement		State to move garage and construct driveway and steps	Lytle
4629-Harness, Alden	" "		State to build concrete steps, foundation and new entrance	"
<u>Deschutes County Section - The Dalles-California Highway</u>				
3620-Deschutes County	Stock Pile	3.56	Gratis	McCallister
3621-Deschutes County	Hauling Road	0.16	Gratis	Chandler

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>West Portland-Tualatin Section - West Portland-Hubbard Highway</u>				
4601-Loy, Dallas	R/W	0.85	\$500 per a. plus \$375	Parker
3646-U.S.Nat'l Bank	"	4.59	\$1,000 per a. plus 4 lots at \$250 per lot	"
4602-Trim, Carl I.	"	2.06	\$300 per a. plus \$500.50	"
4708-Reynolds, Bert I.	"	40,000 sq.ft. (16 lots)	\$40 per lot plus \$460	"
4651-Brown, Pearl M.	"	7.86	\$225 per a.	DeSouza
4635-Lacey, William R.	"	35,000 sq.ft.	\$500 Lump Sum	"
3901-Varns, Frank S.	"	0.98	\$200 per a.	Parker
3901-Varns, Frank S.	"	1.91	\$200 per a.	"
<u>Dayton-Salem Secondary Section - Dayton-Salem Highway</u>				
3148-Vernon, Alton M.	R/W	6.20	\$150 per a. plus \$720	Gardiner
<u>Stewart Bridge-Flat Creek Section - John Day Highway</u>				
4574-Stewart, Horance D.	Stock Pile	1.62	\$25 per a.	Wells
<u>McMinnville Section - Pacific Highway West</u>				
3797-Seabn, Lucy and Ann Withers	R/W	3.362	1.302 a. at \$150 per; 2.06 a. at \$300 per; plus \$122.20	Collins
3804-School District #40	"	6095 sq.ft.	at 5¢ per sq.ft. plus \$60	"
3805-Allen, J. H.	"	15,681 sq.ft.	at 3¢ per sq.ft.	"
3798-Fenton, Frank W.	"	5.968	\$150 per a. plus \$1937.30	McCallister
4636-Hennagin, Virginia	"	1435 sq.ft.	Gratis	Collins
<u>Eugene-Drain Section - Pacific Highway</u>				
4596-Douglas County	R/W	0.125	Gratis	Lytle
<u>Woodburn Section - Pacific Highway</u>				
559-Smith, C. D.	R/W	0.057	\$2,200 per a.	Benson
<u>Short Sand Beach Creek Section - Oregon Coast Highway</u>				
4618-Tillamook County	R/W	0.51	\$1.00 Lump Sum	McChesney
4615-Butler, P. J.	"	1.79	\$34 per a.	"
<u>Klamath Falls-Lakeview Section - Klamath Falls-Lakeview Highway</u>				
4722-Enquist, Emil	R/W	1.42	\$10 per a. plus \$84	McChesney
4725-Arthur, C. D.	"	15.2	\$20 per a. plus \$934.80	"
-Smith, Clarence M.	"	8.0	\$12.50 per a. plus \$424	"
4717-Umbach, Ida	"	0.70	\$15 per a. plus \$14.50	"
<u>Albee-Ukiah Section - Pendleton-John Day Highway</u>				
4622-Allison, Walter W.	R/W	0.85	\$25 per a. plus moving fence	Wells
4625-Hall, Jessie C.	"	0.48	\$15 per a. plus \$43	"
4623-Hall, Jessie C.	"	1.03	\$15 per a. plus \$140.50	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Trail Section - Tiller-Trail Highway</u>				
4707-Warner, Fred J.	R/W	1.69	\$15 per a.	McChesney
<u>S.E. Grand Ave.-S.E. 17th St. Section - East Portland-Oregon City Highway</u>				
2860-Humphrey, F. Hackett	"	1082 sq.ft.	\$2750 Lump Sum	DeSouza
<u>East Unit Jordan Section - I.O.N. Highway</u>				
4514-Mortgage Company of America	R/W	2.47	Gratis plus \$43 for fence	Wells
4670-Fredricks, S.H.	"	5.81	\$12.90 per a. plus \$101.50	"
4669-Miller, Everett L.	"	3.68	\$50 per a. plus \$64.50	"
4515-State Land Board	"	23.34	\$5.00 per a.	McCallister
4510-Anderson, J. P.	"	11.00	\$50 per a.	"
		9.47	\$20 per a. plus \$760.60	Wells
<u>State Line-Shelton Ranch Section - Lewiston-Enterprise Highway</u>				
4207-Austin, L.M. (Correction)	R/W	1.69	\$10 per a. plus \$83.10	DeSouza
<u>Picture Rock Pass-Hunter Hill Section - Fremont Highway</u>				
4594-Elder, Lester E.	Memorial Site	1.91	\$150 Lump Sum	McChesney
<u>Horse Ridge-Brothers Section - Central Oregon Highway</u>				
4679-Israel, John	Gravel Pit	10.00	\$15 per a. plus \$25 for hauling road easement	McChesney
4680-State Land Board-Hauling Road Easement			5-yr. Lease-Gratis	McCallister
<u>Valley Falls-Cinder Butte Section - Lakeview-Burns Highway</u>				
4734-State Land Board	Stock Pile	0.64	\$10 Lump Sum	McCallister
<u>Warren Section - Columbia River Highway</u>				
4519-Northern Pac.Ry.Co.	R/W	3.50	\$800 Lump Sum	McChesney
<u>Multnomah County Section - Columbia River Highway</u>				
4491-Northern Pac.Ry.Co.	Slope Easement	0.20	\$10 Lump Sum	DeSouza
<u>Cherryville Section - Mt. Hood Highway</u>				
4012-Shank, Goldie	Stock Pile	1.01	1-yr. Lease - \$25	McChesney
<u>Astoria-Seaside Section - Oregon Coast Highway</u>				
4663-Clatsop County	Stock Pile	1.829	Gratis	Benson
<u>Forest Grove-Hillsboro Section - Tualatin Valley Highway</u>				
4742-Emmott, Homer G.	R/W	0.538	\$500 per a. plus \$172.50	McCallister
4741-Gibbons, G. E.	"	0.324	\$300 per a. plus \$85	"
4740-Kummer, H. N.	"	0.3	\$300 per a. plus \$95 plus moving sign	"
4753-Jackson, Mary	"	0.56	\$300 per a.	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Applegate-Provolt Section - Medford-Provolt Highway</u>				
4745-Jones, T.A. and Mabel Jones	Stock Pile	1.0	\$100 per a.	Lytle

The Attorney requested authority to condemn certain parcels of real property that are needed for right of way for various highway improvements. The Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Klamath Falls-Lakeview Highway  
Bear Creek-Talent Section of the Pacific Highway  
City of Medford Section of Crater Lake Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Klamath Falls-Lakeview Highway  
L. E. Sadler  
Low B. Twining  
O. D. Wright and M. Wouner  
John Bartsch  
Arthur Reh  
Gwendolyn S. Hook  
Bear Creek-Talent Section of the Pacific Highway  
Lena A. Phillips  
Stella Link  
City of Medford Section of Crater Lake Highway  
I. D. Phipps  
Anna Ruth Pierce

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are

necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission had under consideration the claim of the Morrison Trucking Company, Inc., for damage to the company's property arising out of the improvement of the East Portland-Oregon City Highway. The Attorney reported that a compromise settlement in the sum of \$5,300 had been reached

and he recommended approval of the same. After discussion the Commission approved such settlement by unanimous vote of the members present.

The Attorney then advised that he will prepare an agreement showing the settlement and complete satisfaction of the claim for damages and will have the agreement signed by the Morrison Trucking Company, Inc., and presented to the Commission for approval and execution.

The Attorney reported an offer from a Mr. Carl Engles to purchase at the rate of \$5.00 per ton a crop of hay growing on the right of way of the Davies-Banks Section of the Nehalem Secondary Highway, in Washington County. He recommended the sale inasmuch as it represents clear gain. The Commission approved the recommendation by unanimous vote.

The Commission considered and approved the expenditure of approximately \$1800 for the construction of a storage shed on the Highway Department's premises in Roseburg, for the parking of cars belonging to employees, during office hours.

The Commission also considered and signed a letter dated June 4, 1937, directed to the State Land Board, regarding certain reservations, including fishing rights, which the Board wishes to include in its deed conveying to the State Highway Commission, for right of way purposes, the lands lying between high and low-water mark along a certain portion of the Columbia River between Portland and Bonneville.

The Commission considered the following requests for extensions of time within which to complete highway construction projects:

McNutt Bros., Contract No. 1772, for grading the Gales-Tunnel Section of the Old Oregon Trail, in Baker County, requested an additional extension of time, from January 31 to April 24, 1937, within which to complete this project. They gave the following reasons for failure to complete the project within the specified time limit: certain bridges on this section that were being constructed by another contractor were not completed; and, when they were finally able to proceed with their work, bad weather set in, necessitating the closing down of operations; in fact, they were ordered by the engineer in charge to stop operations because he stated his unwillingness to accept work done during the bad weather period. The Engineer advised that the statements given by the contractor for failure to complete the project within the specified time limit are correct. He recommended, in view of the circumstances, that the extension requested be granted without penalty, and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Berke Bros., Contract No. 1788, for construction of the Wall Creek Undercrossing on the Torrent Creek-Wall Creek Section of the Pacific Highway, in Jackson County, requested an extension of time, February 28 to July 31, 1937, within which to complete this project. They alleged

that their failure to complete the job within the specified time limit was caused by delayed operations of the Southern Pacific Company and by inclement weather. The Engineer advised that the reasons given by the contractor for the failure to complete the project by the specified date are correct and he recommended the extension requested be granted without penalty. He presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Harold Blake, Contract No. 1789, for the construction of an overcrossing on the Junction City-Eugene Section of the Pacific Highway, in Lane County, requested an extension of time from October 31, 1936, to June 15, 1937, within which to complete this project. He gave the following reason for failure to complete the project within the specified time limit: that the paving work was delayed in order to allow a sufficient time for the fills to settle properly and in order to fit in with the general plan of work on this and other projects on the Junction City-Eugene Section. The Engineer advised that the reason given by the contractor for the delay is substantially correct and in view thereof recommended that the extension requested be granted without penalty. He submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Kern & Kibbe, Contract No. 1812, for construction of the Southern Pacific Company Undercrossing and 0.27 mile grading and paving at the north city limits of Salem, in Marion County, requested an additional extension of time, from March 31 to May 17, 1937, within which to complete this project. They alleged that unfavorable weather conditions necessitated the closing down of operations for a certain period after March 25; in fact, that the engineer ordered discontinuance of the work during that time. The Engineer advised that the reason given by the contractor for failure to complete the job within the extended time limit is substantially correct. He recommended that the extension now requested be granted without penalty and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

S. S. Montague, Contract No. 1904, for grading and surfacing Mills Bridge-Jordan Creek Section of the Wilson River Highway, in Tillamook County, requested an extension of time of 90 days, from May 31 to August 31, 1937, within which to complete this job. He gave the following reasons for failure to complete the project within the specified time limit: (1) unprecedented dry weather created a fire hazard that was considered by forest officials too great to warrant burning operations until some time in November, and, as a consequence, clearing and grubbing work had to be postponed and grading work could not be commenced until wet weather set in; (2) considerable portions of excavated materials were required to be deposited at approaches to the Jordan Creek Bridge, which was under construction by another contractor, and due to the fact that the bridge was

not completed on time, the grading of the approaches was delayed about three months; (3) the Highway Department engineers on January 8 ordered work on the road and in the quarry closed down until the roadbed, which was then solidly frozen, had completely thawed out, entailing a loss of time of about two months; (4) since resumption of operations, work has been seriously hampered by unusually rainy weather. The Engineer advised that the reasons given by the contractor for failure to complete this project within the specified time limit are correct, although the total time lost was only approximately two months rather than 90 days. He recommended, nevertheless, that the extension requested be granted without penalty, which would give the contractor sufficient time to complete all of the road work required under the contract and an additional 30 days to complete the manufacture of maintenance materials also required. He submitted a letter from the Bureau of Public Roads concurring in such recommendation. The Commission approved the recommendation by unanimous vote.

Mountain States Construction Company, Contract No. 1923, for the construction of a bridge over the Calapooya River on the Pacific Highway, near Albany, in Linn County, requested an extension of time, from February 28 to June 1, 1937, in which to complete this project. They attributed their delay to strike conditions, which prevented the delivery of steel to this project. The Engineer advised that the reason given by the contractors for failure to complete the job within the specified time limit is correct. He recommended that the extension requested be granted without penalty and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

The Engineer reported that the following contracts for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance:

Contract No. 1772, with McNutt Bros., for grading the Gales-Tunnel Section of the Old Oregon Trail Highway, in Baker County. Completed April 24, 1937.

Contract No. 1812, with Kern & Kibbe, for the construction of the North Salem Undercrossing, Bridge No. 2131, on the Pacific Highway, in Marion County. Completed May 17, 1937.

Contract No. 1887, with R. O. Dail and Warren Bros., Inc., for surfacing and furnishing crushed rock on the Rainrock-Greenleaf Creek Section of the Siuslaw Highway, in Lane County. Completed May 15, 1937.

Contract No. 1921, with Smith & Company, for furnishing crushed rock in stock pile on the Blalock-Heppner Junction Section of the Columbia River Highway and the Arlington-Shuttler Flat Section of the John Day Highway, in Gilliam County. Completed May 8, 1937.

Contract No. 1922, with Jacobsen-Jensen Company, for paving the Junction City-Siuslaw Junction and Arvard-Eugene Sections of the Junction City-Eugene Secondary Highway, in Lane County. Completed May 12, 1937.

Contract No. 1925, with Mountain States Construction Company, for the construction of Bridge No. 2322 over the Calapooya River on the Pacific Highway, near Albany, in Linn County. Completed May 25, 1937.

Contract No. 1940, with W. C. White, for the construction of a bridge and approaches on the Miles Bridge Section of the Medical Springs Secondary Highway, in Baker County. Completed May 28, 1937.

The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1772, with McNutt Bros, for grading the Gales-Tunnel Section of the Old Oregon Trail Highway, in Baker County. Completed April 24, 1937.

Contract No. 1812, with Kern & Kibbe, for the construction of the North Salem Undercrossing, Bridge No. 2131, on the Pacific Highway, in Marion County. Completed May 17, 1937.

Contract No. 1887, with R. O. Dail and Warren Bros., Inc., for surfacing and furnishing crushed rock on the Rainrock-Greenleaf Creek Section of the Siuslaw Highway, in Lane County. Completed May 15, 1937.

Contract No. 1921, with Smith & Company, for furnishing crushed rock in stock pile on the Blalock-Heppner Junction Section of the Columbia River Highway and the Arlington-Shuttler Flat Section of the John Day Highway, in Gilliam County. Completed May 8, 1937.

Contract No. 1922, with Jacobsen-Jensen Company, for paving the Junction City-Siuslaw Junction and Arvard-Eugene Sections of the Junction City-Eugene Secondary Highway, in Lane County. Completed May 12, 1937.

Contract No. 1925, with Mountain States Construction Company, for the construction of Bridge No. 2322 over the Calapooya River on the Pacific Highway, near Albany, in Linn County. Completed May 25, 1937.

Contract No. 1940, with W. C. White, for the construction of a bridge and approaches on the Miles Bridge Section of the Medical Springs Secondary Highway, in Baker County. Completed May 28, 1937.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the U. S. Forest Service providing for the construction of 13.56 miles bituminous macadam on the Salmon River Highway, whereby the Government's share of such expense is to be \$130,000 and the State's share \$20,000;

Agreement with the Spokane, Portland and Seattle Railroad Company covering the subject of wasting or depositing materials on the property of the railroad company, near Rainier, in Columbia County;

Bargain and sale deed conveying unto Peter Schlechter a portion of Lots 10 and 11, Block 2, Collinge's Addition to the City of Portland, lying outside of the standard width highway right of way, representing partial payment for other land secured from Mr. Schlechter for right of way purposes.

The Commission considered setting a date for its next regular meeting for the receiving of bids for highway construction work and decided to hold such meeting on Thursday, July 8, 1937, in the Public Service Building Auditorium, Portland. The Commission also set Friday, June 18, as the date for a special meeting to dispose of accumulated routine matters, such meeting to be held in the Benson Hotel, Portland. The Engineer was instructed to arrange with Mr. Lacey V. Murrow, Director of Highways for the State of Washington, for a conference in Portland on the evening of Thursday, June 17, for further discussion of the matter of establishing free ferry service across the Columbia River at Astoria.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:30 o'clock p. m.

*R. B. Smith*  
State Highway Engineer

*H. B. Glaisyer*  
Secretary

*Henry F. Cabell*  
Chairman

*E. B. Aldrich*  
Commissioner

Portland, Oregon, June 17, 1937

The State Highway Commission convened in regular session at 8:30 o'clock p. m. in the Tyrolean Room of the Benson Hotel. Present were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
J. M. Devers, Attorney  
H. B. Glaisyer, Secretary

Mr. Lacey V. Murrow, Director of Highways of the State of Washington, was also present and conferred with the Commission regarding the establishment of free ferry service across the Columbia River between Astoria, Oregon, and Megler, Washington.

Mr. Murrow advised that, since meeting with the Commission on April 12 for a discussion of this matter, he has studied the Washington law, which authorizes him to arrange with the highway authorities in Oregon for the establishment of such free ferry service, and that he is now of the opinion that the law is so written that it will be impossible for him to become a party to such an arrangement until the present law is amended.

The matter was then discussed from the standpoint of securing a reduction in the present ferry rates. It was the consensus of opinion of all that the present ferry rates are too high and that they should be reduced in order to encourage interstate travel at this point, and that such reduction should remain in effect until the spring of 1939 when it is hoped that the legal impediments to the establishment of free ferry service will be eliminated.

Mr. F. S. Elfving, owner of the present ferry, was present and entered into the discussion from this angle.

Mr. James O. Convill, City Manager of Astoria, was also present and joined in the discussion. He advised that the City Council of Astoria is opposed to continuance of the ferry landing at the end of 14th Street because of traffic congestion, and wants it moved to a new location at the end of 15th Street. He said that he did not think that the City Council would renew Mr. Elfving's franchise for the use of 14th Street under any consideration.

Mr. Elfving estimated that it would cost about \$20,000 to construct a new dock at the end of 15th Street and advised that the revenues from the ferry service will not permit him to assume such expenditure in view of the fact that it would be a temporary proposition and that he would have to give it up when the free ferry service is established in the spring of 1939. He advised that it is his intention to place two ferry boats in operation on July 1 and gave as his thought that the extra boat would solve the problem so far as travel congestion is concerned.

After considerable discussion the Engineer made the following

suggestion: that Clatsop County, which owns the property at the end of 15th Street, deed this property to the state which in turn would lease it to Mr. Elfving up to January 1, 1939, with the understanding that Mr. Elfving will arrange to build the dock at this location and have it in operation by May 1, 1938; and on July 1, 1937, will reduce the ferry charge for automobiles from \$1.00 per car to 75¢ per car, the pedestrian and truck rates to remain the same as they now are, subject to the condition that, when free ferry service is established, the state will purchase the dock from Mr. Elfving at actual cost, less 10 per cent depreciation per year. Further, that the City of Astoria grant to Mr. Elfving the privilege of continuing the use of the present dock at the end of 14th Street until the new dock is built or for a reasonable length of time. This suggestion was approved by all parties present subject to confirmation by the Astoria City Council and the Clatsop County Court.

Mr. Convill agreed to submit the matter to the City Council at its meeting on the following Monday and to advise the Secretary of the Commission immediately thereafter the action the council takes on it.

The Attorney was instructed to prepare a form of agreement covering the matter. (This matter was reconsidered by the Commission on the following day at which time County Judge Guy Boyington, who was present, pointed out complications in regard to the use of the county's property at the end of 15th Street by a private company. In view of the information given by Judge Boyington, the Commission deemed it advisable to cancel the proposed arrangement and so ordered. The Engineer was instructed to convey such information to Mr. Murrow and to Mr. Elfving.)

Mr. Convill brought up for discussion matters pertaining to the proposed Astor Street cutoff in the city of Astoria. He advised that the city has made all arrangements for right of way for this project and for the removal of buildings therefrom with the exception of a certain warehouse and a bunkhouse which the state at one time agreed to remove at state expense. He further advised that the Columbia River Packers Association, which uses the warehouse for the storage of fish, has indicated its willingness to pay a portion of the cost of removing this building from the right of way if the state will move it at once before they have occasion to put fish in it. The Commission indicated a willingness to accept this offer but deferred definite decision thereon until its regular meeting on July 8. The Attorney was instructed to investigate and pass on the deeds that the City has obtained for the right of way and to render a report thereon at such meeting.

County Judge Guy Boyington was present and inquired as to the plans of the Commission for the completion of the Neahkahnie Mountain road south of Arch Cape Tunnel to a connection with the completed section in Tillamook County. He suggested that the Commission might contract this work this year with the understanding that the work would be done next year and would be paid for with next year's money in the event it can not be financed this year. He said that Clatsop County is facing a desperate situation in that assessments have decreased to a very large extent and the commercialization of their beach assets is about the only way that they have left to increase their tax revenues and

the completion of this road will help immensely. He was informed that the Commission has this project in mind and is desirous of completing it at the earliest possible time but can not do it this year because it is an expensive project and funds are not available to finance it. He was assured that the project will be given serious consideration in future programs.

Judge Boyington offered in behalf of Clatsop County to deed to the state, without cost, a parcel of land situate adjacent to the Oregon Coast Highway at Seaside. He explained that the property is valuable for commercial purposes but the county does not want it used for such purpose and would prefer to deed it to the state so that the county will not be embarrassed in case someone should make an attractive offer for the same. He advised that the property is not only valuable from the commercial standpoint but would make a fine park and a portion of it could be used for widening the highway right of way at this point. The Commission indicated a favorable attitude and referred the matter to the Attorney for investigation and the preparation of a form of deed transferring the property to the state. He was instructed to include a clause in the deed to the effect that the county is deeding the property to the state for park or recreational purposes only.

Judge Boyington also stated that the county owns other property along the coast which it is willing to deed to the state if the state wants it and can use it for park purposes or for right of way. The Attorney was instructed to investigate these tracts with a view in mind that the Commission will accept deeds for the same if they can be used to advantage.

The Commission adjourned at 11:15 o'clock p. m. to reconvene in the Benson Hotel at 9:00 o'clock a. m. the following day.

Portland, Oregon, June 18, 1937

The Commission reconvened at 9:00 o'clock a. m. in Room 204, Benson Hotel, with all members, the State Highway Engineer, the Attorney and the Secretary present.

The Commission conferred with City Commissioner Ormond R. Bean, Portland, relative to maintenance of certain city streets over which is routed state highway traffic. The Attorney presented a form of agreement covering the matter which was tentatively approved with a few minor corrections. The Attorney was instructed to rewrite the agreement to conform with the suggestions, and to deliver it to City Attorney Grant to pass on and secure approval by the City Commission.

The Commission also discussed with Mr. Bean the contemplated improvement of Interstate Avenue in Portland. The Engineer submitted a plan for such improvement which involves construction of a highway for six lanes of traffic with a pedestrian refuge strip along the center for the full length of each block. He exhibited a drawing showing a proposed cross section of the street which the Commission approved by unanimous vote. It was also approved by Mr.

Bean. The Engineer was thereupon authorized and instructed by the Commission to present the plan to W. H. Lynch, District Engineer, Bureau of Public Roads, for approval by the federal authorities.

Mr. Bean also brought up for discussion the improvement of Sandy Boulevard. He explained that the Portland Traction Company, which now maintains car track privileges on this thoroughfare, plans soon to do away with the streetcar service and to substitute therefor bus service which will require the removal of its car tracks. He suggested that it would be advisable for the state to improve the balance of the street at the same time so as to provide for a uniform improvement throughout. He was informed that this is a costly project and the Commission does not have funds available to finance it at the present time. In view of the circumstances it was agreed that the streetcar company should be asked to defer its improvement until the state is able to do its part. Mr. Bean agreed to contact the company officials in regard thereto.

The County Court of Lincoln County, represented by County Judge J. J. Gaither and County Commissioners Jay W. Dunn and E. G. Calkins, was present in regard to the Siletz Secondary Highway. The Engineer advised the court that the Commission inspected this road and ascertained at first hand that it is in need of improvement in order to take care of the traffic that uses it, especially the logging traffic, but there is a question in the minds of the Commission where the money is to come from to finance the work. He explained that to improve the road to proper standards would cost about \$400,000, and to provide a temporary improvement would cost about \$60,000 which would have to be paid with state money because the Federal Government will not cooperate in improvements that are of a temporary nature, so, if the Commission should order a temporary improvement, it could not be done until next year and would have to be paid for out of next year's revenues. Commissioner Dunn said that anything that the Highway Commission could do to keep the people out of the mud would be satisfactory.

The Commission after discussion authorized and instructed the Engineer to make a reconnaissance survey of this road to determine whether or not temporary improvements could be undertaken that would fit in with a permanent improvement, the thought being that, if there are certain sections that will fit in with the permanent improvement, it might be possible to use federal funds to finance them. He was also instructed to convey to the county court the results of such survey through Division Engineer F. D. Eason and Assistant Office Engineer Oscar Cutler who are to secure the court's ideas as to whether the Commission should spend its money for temporarily improving the entire road or should provide for the permanent improvement of a short section. Full information is then to be submitted to the Commission for further instructions.

The Commission then discussed with the county court the county's indebtedness to the state for road improvements amounting to approximately \$16,000. The court advised that the county has no money at the present time to pay this bill notwithstanding that they budget up to the full amount of the six per cent limitation each year; also, that the county's revenues from taxes have decreased considerably because of the cutting of timber. They

acknowledged their obligation and said that, if they are required to pay it now, it will mean sacrificing needed work on county bridges. Chairman Cabell advised that the Commission has been criticized by auditors for not collecting its county debts and is very anxious to have these accounts settled at the earliest possible time. He suggested that it might be possible for Lincoln County to pay its account by deferred payments and asked the county court to give the matter some thought from that standpoint. The court agreed to do this.

The Commission conferred with Mr. C. J. Buck, Regional Forester, and Mr. W. H. Lynch, District Engineer, Bureau of Public Roads, in regard to the extension of the Enterprise-Flora Forest Highway, from its present terminus to the Washington State line, in Wallowa County. It was explained to these men that the Enterprise-Flora Highway is a primary state highway and is an important connection between the States of Oregon, Washington and Idaho, and that the Commission would like to construct the remaining portion, about ten miles in length, so as to meet the improvement in the State of Washington at the state line but is precluded from doing so because of lack of funds.

The State Highway Engineer explained that available state funds are needed to match federal aid; also, that the project is not eligible for federal aid secondary monies, being a primary highway, and it is not eligible for regular federal aid money so, if construction is to proceed, it must be financed as a forest highway project, which means that the present forest highway will have to be extended. He estimated the cost of grading work at \$200,000 and the surfacing at \$100,000.

Mr. Buck pointed out that the extension is entirely outside of the federal forest boundaries and he cited the federal rules in regard to extending forest roads beyond the limits of the forest areas. He gave as his thought that it would be a difficult proposition to secure the approval of such extension.

Commissioner Aldrich gave as his thought that the project is justified because this is an interstate highway involving three states. He suggested that, if Mr. Buck and Mr. Lynch would approve the project, the matter can then be taken up with the Oregon, Washington and Idaho delegations in Congress who, no doubt, would be glad to render assistance in securing special congressional approval in view of the importance of the road.

Mr. Lynch pointed out that there is a large mileage of uncompleted roads on the present forest highway system and gave as his thought that the construction of these roads should be farther advanced before new roads are added to such system.

Full facts of the case were again expressed to the government engineers and it was pointed out clearly that this important road can not be completed unless forest highway aid is secured. The suggestion was made that it might be possible to substitute this road for some other road that is now on the forest highway system. The Mill Creek road extending southwesterly from The Dalles in Wasco County was mentioned in this regard. It was also suggested

that the grading work could be financed by diverting \$100,000 forest highway funds each year for a two-year period. After considerable discussion the matter was left undecided but it was agreed by all that the State Highway Engineer should send to Mr. Buck and Mr. Lynch a brief containing full facts and information in regard to this project, including a proposition for the financing of the same, it being understood that if they approve the proposition they will recommend that the Flora-Enterprise extension be substituted for some other road on the forest highway system and that sufficient forest highway funds in the present program be reallocated to finance the construction of the same.

The engineer reported briefly on the status of the Highway Commission's finances. He explained that present indications are that it will be necessary to borrow from \$500,000 to \$750,000 from the State Treasurer some time this fall to facilitate the financing of construction work. The Commission authorized him to make arrangements for such loan at the proper time in accordance with previous instructions.

The Attorney presented a form of agreement between the Commission and The Gilpin Construction Company and the General Construction Company covering the matter of final payment in connection with the Yaquina Bay Bridge construction on the Oregon Coast Highway at Newport. The Commission approved the agreement as written and instructed the Attorney to present it to the bridge company for acceptance and signature. (This agreement was signed by the Commission later in the session.)

The Engineer reported that the Governor's Executive Secretary, Mr. Wallace S. Wharton, brought to his attention a law enacted by the 1937 Legislature which authorizes state boards and commissions to designate someone to sign vouchers for the payment of claims, and inquired whether or not the Commission desires to take advantage of such law. He explained briefly the present procedure of handling such matters and outlined his idea of the procedure to be followed in the event the Commission decides to take advantage of this law. He gave as his thought that, under the new arrangement, the payment of vouchers could be expedited by about ten days. The Commission deferred action on this matter until its next meeting. The Engineer was instructed to present to the individual members of the Commission, in the meantime, a report outlining the proposition in full.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He presented a list of such properties together with the prices that he recommended be paid for each. After careful study of the list the Commission approved the Engineer's request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>North Roseburg Section - Pacific Highway</u>				
4684-Green, Austin C.	R/W	2598 sq.ft.	\$0.057 per sq.ft. plus \$251.91	McChesney
<u>Horse Ridge-Brothers Section - Central Oregon Highway</u>				
4696-Deschutes County	Gravel Pit	27.55	\$35 Lump Sum	McChesney
<u>Klamath Falls-Lakeview Section - Klamath Falls-Lakeview Highway</u>				
4716-Goose Lake Valley Irrigation Co.	R/W	2.76	\$10 per a.	McChesney
4724-Thomas, L. G.	"	9.05	\$20 per a. plus \$417	"
<u>McMinnville Section - Pacific Highway West</u>				
3799-Blair, Ernest V.	R/W	1.66	\$175 per a. plus \$1496.25	McCallister
<u>Weston-Elgin Section - Weston-Elgin Highway</u>				
3934-Hill, William C.	R/W	4.73	\$25 Lump Sum	Wells
<u>Youngs Bay-Lewis and Clark Bridge Section - Oregon Coast Highway</u>				
4673-Harper, R. D.	R/W	1000 sq.ft.	\$25 Lump Sum	Benson
<u>West Portland-Hubbard Section - West Portland-Hubbard Highway</u>				
4761-Wood, Charles E.	R/W	Waiver of access-no consideration	Parker	
3900-Ehle, Glenn	"	4.132	\$500 per a. plus moving house, well	"
4078-Porter, Geo. M.	"	1.67	\$250 per a. plus \$82.50	"
<u>LaGrande Section-Wallowa Lake Highway</u>				
2031-LaGrande, City of	R/W	3045 sq.ft.	\$26.12 Lump Sum	Parker

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Middleton-Newberg Section - Pacific Highway West</u>				
1488-Wakeham, Edith (Correction)	R/W	0.06	Gratis plus \$62	Parker
<u>Wilsonville Ferry Section - Beaverton-Aurora Highway</u>				
4760-Prausa, Charles J.	R/W	0.1	\$1.00 Lump Sum	Parker
<u>Siletz River-Newport Section - Oregon Coast Highway</u>				
4441-Baldwin, B. T.	R/W	540 sq.ft.	5¢ per sq.ft.	McCallister
4425-Walrad, Walter G.	"	1050 sq.ft.	5¢ " " "	"
4452-Walrad, Walter G.	"	1050 sq.ft.	10¢ " " "	"
4444-Olson, Ann Estate	"	842 sq.ft.	10¢ " " " plus moving buildings and fence	"
<u>Island City-Cove Section - Cove Highway</u>				
4688-Conley, Virgil Gray	R/W	2.28	\$100 per a.plus \$301	Wells
4690-Conley, Merrell Frank	"	2.79	\$100 per a.plus \$381	"
4689-Conley, Joe Frank	"	0.91	\$100 per a.plus \$120	"
4685-Hamann, Albert J.	"	0.60	\$100 per a.plus \$80.50	"
<u>Bear Creek-Talent Section - Pacific Highway</u>				
4554-4555-Nye, Anna E.	R/W	0.76	\$200 per a.plus \$1573	Gardiner
4543-4544-Hartley, George	"	0.22	\$200 per a.plus \$582.70	"
4747-Hartley, Charles L.	"	0.28	\$200 per a.plus \$79	"
<u>Lane County Section - Willamette Highway</u>				
4787-Maude E. Wood et al	Stock Pile	1.0	\$157.50 Lump Sum	J.G.Toole
<u>Multnomah County Line-Linnton Section - Lower Columbia River Highway</u>				
79-Charlton, W. D.	R/W	0.023	\$500 Lump Sum	DeSouza
4637-Clark, Sherman B.	"	0.056	\$500 per a.plus \$15	McChesney
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
4432-Currie, James	R/W	1080 sq.ft.	5¢ sq.ft.plus \$35 plus moving	McCallister
<u>Elgin-Rock Creek Section - Wallowa Lake Highway</u>				
4360-Parson, A. H.	Stock Pile	0.445	5-yr.lease at \$2 per year	Wells
<u>McMinnville-Rickreall Section - Pacific Highway West</u>				
4750-Tresham, James S.	Easement to Borrow	4.915	\$80 per a.	McChesney
4750-Tresham, James S.	R/W	3.50	\$150 per a.)	"
		3.26	\$75 per a.) plus \$665	
<u>West Portland-Tualatin Section - West Portland-Hubbard Highway</u>				
4600-Dohs, Payson R.	R/W	3.64	\$206 per a.	Parker
<u>Bear Creek-Talent Section - Pacific Highway</u>				
4665-Jacobs, Myrtle	R/W	0.85	\$200 per a.plus \$1380, plus \$50	Gardiner

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Bear Creek-Talent Section (continued)</u>				
4578-Stratton, W. A.	Gravel Pit	12.1	\$1200 Lump Sum	Gardiner
4666-Temple, Elizabeth Blanche	R/W	0.22	\$200 per a.plus \$206	"
4558-Doran, Gertrude	"	0.12	\$200 per a.plus \$176	"
4564-Spats, Lula E. Estate	"	0.29	\$200 per a.plus \$117	"
4542-Brethren, Church of the	"	0.08	\$200 per a.plus \$19.90	"
4573-Williams, V. P.	"	1.62	\$300 per a.plus \$271	"
4566-Beeson, Alice E.	"	0.36	\$750 per a.plus \$1830	"
4534, 4535-Bruin, William	"	0.29	\$200 per a.plus \$1092	"
4558-Paulson, Martin G.	"	0.09	\$200 per a.plus \$482	"
-Leaming, E. M.	"	0.005	\$500 per a.plus \$20	"
4548-Jackson County	"	0.69	Gratis, plus fencing and relaying water pipes	"
Fee title taken subject to State College Lease "				
<u>Island City-Cove Section - Cove Secondary #324 Highway</u>				
-Noyes, Ben W.	R/W	2.57	\$100 per a.plus \$348.10	Wells
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
4454-Wells, J. E.	R/W	3000 sq.ft.	6¢ sq.ft.plus \$80 plus moving bldgs and gas pumps	McCallister
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
-Lisl, A.	R/W	1620 sq.ft.	5¢ sq.ft.plus \$10 fencing	McCallister
<u>McMinnville-Rickreall Section - Pacific Highway West</u>				
4756-Larson, Olive H.	R/W	0.56	\$150 per a.plus \$68	McChesney

In regard to the acquisition of right of way for the Siletz-Newport Section of the Oregon Coast Highway (new location) on which numerous buildings are now located, the Attorney suggested that payments to the owners be limited at this time to the purchase of land only, and that the payments for removal of buildings be deferred until the buildings are actually removed from the right of way. The Commission approved the suggestion by unanimous vote and ordered the Engineer to see that right of way stakes are set in convenient locations to clearly define the right of way limits in order to avoid complications that might arise in the future. In this connection the Commission discussed the advisability of continuing negotiations for the acquisition of right of way on this section in view of the fact that construction is not contemplated in the immediate future. It was decided that such negotiations should be continued but options should not be presented to the Commission for approval unless the settlements arrived at are very good.

In regard to the W. D. Charlton property that is needed for right of way for the Multnomah County Line-Linnton Section of the Lower Columbia River Highway, the Attorney advised that the Charltons are desirous of using a portion of the right of way until it is needed by the state for highway purposes and that they propose to do certain landscaping work to beautify the

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premises. He recommended the granting of this request. The Commission approved the recommendation by unanimous vote and ordered that right of way stakes be set to clearly define the limits of the right of way so as to avoid any future complications.

Relative to the right of way that is being acquired from Jackson County for the Bear Creek-Talent Section of the Pacific Highway, the Attorney advised that, while the land is owned by Jackson County, the County has given a lease to Oregon State College to use a portion of it on which to carry on certain orchard experiments and there are a number of trees growing on the strip that is needed by the state. Further, that the State College is demanding the payment of \$500 for these trees and that a fence be constructed on the right of way line in front of this property. After discussion, the Commission ordered that a deed to the property be secured from Jackson County subject to the lease held by the State College.

County Judge Guy Boyington reappeared before the Commission at this time in regard to the establishment of free ferry service across the Columbia River at Astoria. He advised that the County Court is reluctant to permit the exclusive use of the county property at the foot of Fifteenth Street by a private company, because of complications that might arise; and, while the court wants to cooperate fully in securing free ferry service, it cannot go so far as to permit private use of this public property. In view of the circumstances, the Commission decided unanimously to cancel the arrangements that were made on the previous evening. The Engineer was instructed to convey such information to Mr. Eflving and to Mr. Murrow.

The Engineer again brought up for discussion the matter of authorizing surveys and the approval of surveys completed. He said that considerable routine could be avoided and surveys expedited if he were given blanket authority to order surveys. He requested such authority and advised that, in the event that they were of a controversial nature, he would not order them until they had been approved by the Commission. The Commission approved the request by unanimous vote and so ordered.

In regard to completed surveys, the Engineer advised that in the opinion of the Attorney the State Highway Commission is required by law to approve the locations and the plans. He suggested that it would be satisfactory for the Commission to do this by file number, which would avoid the necessity of recording in the minutes detailed information regarding the locations and pertinent facts in connection with them. The Commission approved the suggestion by unanimous vote, which confirmed the action taken on the matter at the meeting held on June 4, 1937.

The Commission had under consideration at this time the matter of adopting a permanent route for the Pacific Highway through the city of Albany, in connection with which matter the Commission held a public hearing in Albany on June 4, 1937. The Engineer recommended the adoption of the Eighth Street route. The Attorney called to the Commission's attention the fact that the law as amended by the last legislature makes the Highway Commission

liable for damages to property that is affected by changes in existing street grade lines; and that the provisions of the statute extend to properties located on side or connecting streets, the grades of which streets have been changed by reason of highway improvement. He pointed out that damages in such instances might assume large proportions. After discussion the Commission decided in favor of the route recommended by the Engineer along Eighth Street. The following resolution relative thereto was offered by Commissioner Tou Velle, who moved its adoption. The motion was duly seconded by Commissioner Aldrich and was declared by Chairman Cabell to have been carried by the unanimous vote of the Commission:

WHEREAS, pursuant to notice given as required by Section 44-120, Oregon Code 1935 Supplement, the Highway Commission met in the City Hall of the City of Albany on the fourth day of June, 1937, for the purpose of conducting a hearing, as provided for in said law, with respect to the proposed change in the point or place of entrance of the Pacific Highway into said City from the northerly boundary thereof, and the proposed change in the point or place of entrance of said highway into said City from the southerly boundary thereof, and also the proposed change of the route of said highway in and through said City; and

WHEREAS, said meeting was called to order by Henry F. Cabell, Chairman of the State Highway Commission, who explained to those assembled the purpose of the meeting and the proposed change in the route, and the proposed change in the point of entrance of said highway into said City from the northerly boundary, and the point of entrance from the southerly boundary thereof, and the Chairman then invited discussion with respect to said matters and extended to all persons present an opportunity to be heard for or against said proposed change; and

WHEREAS, after all who evidenced a desire to be heard had entered their names in the records and minutes of the meeting and had declared their approval or disapproval of said proposed change, the Chairman of the Commission announced that said matters would be taken under advisement by the Commission and a decision made and announced at a later date; and

WHEREAS, after due and full consideration of said matters and of the arguments and declarations made for and against the said proposed change at said public hearing, both with respect to the point of entrance of said highway into said City from the north and the point of entrance of said highway from the south, and with respect to the change of route in said City, and the Commission now being fully advised with respect to all of said matters, it is the opinion and judgment of the Commission that the interests of the State at large will be best served by the adoption of said proposed change of route of said highway in and through said City and the change in the point of entrance into said City from the northerly boundary or direction

and the change in the point of entrance into said City from the southerly boundary thereof, all of which changes will, in the judgment of the Commission, make possible a better alignment, a more serviceable, convenient and safe thoroughfare into and through said City, and, therefore, it is the opinion of the Commission that the route and alignment of said highway should be altered and modified, and the point of entrance into said city from the northerly direction thereof and the point of entrance into said City from the southerly direction thereof, and the route in and through said City should be changed, fixed and determined, all as in said notice announced and at said hearing heard;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, a majority of the members being present and affirmatively voting, as follows:

1. That the route and location of the Pacific Highway, as the same enters the City of Albany from the northerly direction and the route of said highway as the same enters the City of Albany from the southerly direction, and the route of said highway in and through said City, shall be and the same hereby is routed along a route and streets described and defined as follows, to wit:

Beginning at a point in the present constructed Pacific Highway which is approximately Mile Post 75.25, said point being at the north line of Section 4, Township 11 South, Range 3 West, W. M., in Linn County; thence in a southwesterly direction approximately 8000 feet to the easterly city limits of Albany at Eighth Street; thence westerly along Eighth Street to approximately the west line of Jackson Street, thence turning in a southwesterly direction, crossing the south city limit line of Albany at approximately 1000 feet north and 75 feet east of the southwest corner of Section 7, Township 11 South, Range 3 West, W. M., and continuing southwesterly approximately 4000 feet to a point in the present constructed Pacific Highway, said point being approximately 1125 feet westerly from the northeast corner of Section 13, Township 11 South, Range 4 West, W. M., said point being also Mile Post 79.96 of the present constructed Pacific Highway.

2. That the said above described route, location and alignment be and the same hereby is adopted as the route and location of said highway between the termini as defined and described above.

3. That the Engineer be and he is hereby instructed to definitely locate and establish said highway by proper monuments and markers and make proper record thereof in the records of the Highway Commission, and erect proper signs on the street or streets over which said highway is routed, and proceed with the permanent improvement and maintenance of said highway along the route herein

defined and in harmony with plans and specifications by this Commission approved.

4. That this resolution be entered in the records and minutes of the Highway Commission, and a duly certified copy thereof mailed to the Mayor of the City of Albany, and a like copy to the County Court of Linn County.

In this connection the Commission decided that it would construct, as its first project, the northerly end of this route extending from the Pacific Highway north of Albany to a temporary connection with the present highway on the extension of Ninth Street in Albany, and that the construction of the remaining section should be postponed until the Commission is financially able to undertake it.

The Engineer brought up for discussion the matter of financing the state-wide planning survey. He recalled that the Commission on February 19, 1937, authorized an expenditure of \$35,000 of state funds to extend these surveys to include an inventory of city streets, but he inadvertently overlooked requesting an additional authorization of \$35,000 to conduct the traffic survey on city streets and the sum of \$6,500 for map work in connection with the city survey. He asked the Commission to approve such items of expense at this time in order that such surveys may be carried out to completion. The Commission approved the expenditure by unanimous vote.

The Engineer then reported the receipt of a telegram from the Bureau of Public Roads advising that planning survey work carried on now could not be financed with fiscal year 1939 federal aid funds because these funds are not available for obligation until they are apportioned and then only for work accomplished subsequent to apportionment. He advised that federal moneys available now will be exhausted by September 1; and, if the Commission wants to continue the survey after that time and until the federal moneys are available, it would be necessary to finance the same with state moneys. He estimated that it would cost about \$50,000 to continue the survey for the balance of the year, and recommended the expenditure. After considerable discussion the Commission approved the recommendation by unanimous vote.

The Commission adjourned at 12:30 o'clock p. m., to reconvene at 2:00 o'clock p. m. in the same room.

The State Highway Commission reconvened at 2:00 o'clock p. m. in room 204, Benson Hotel, with Chairman Henry F. Cabell and Commissioner F. L. Tou Velle, constituting a quorum of the Commission, present and participating. Commissioner Aldrich was excused from attending this session on account of other urgent matters. Also present were the State Highway Engineer, the Attorney and the Secretary.

State Parks Superintendent S. H. Boardman was present and presented the following park matters:

Acquisition of right of way and park site between Rocky Creek and Otter Crest, along the Oregon Coast Highway, in Lincoln County, involving the purchase of approximately 49.59 acres of land from Olive M. Lee. Mr. Boardman advised that the owner is demanding about \$6,000 for the right of way and about \$9,000 for the balance of her property, or a total of \$15,000. He said that the portion outside of the right of way would make a fine addition to the present state park at this location; but, because of the limited amount of funds that the Commission has budgeted for the purchase of park and recreational areas, he would rather spend this amount of money to acquire desirable parks in other locations, inasmuch as the Commission now owns the park at Rocky Creek; and he so recommended. The Commission approved the recommendation by unanimous vote and ordered that the owner be advised that the Commission is not interested now in acquiring any more land at this place than is actually needed for right of way.

In this connection the Engineer reported briefly on the status of the controversy with Mr. Wilbur Badley, Portland, who is constructing a concrete building on a small parcel of land adjacent to the state park at Otter Crest. He said that three surveys have been made to determine the property line, two of them by engineers in the employ of the State Highway Department and the other by an engineer in the employ of Mr. Badley, and it appears that there is a difference of opinion as to the proper location of the line, inasmuch as two of the surveys indicate that the building is located at least partly on state property. After discussion, the Engineer was instructed by the Commission to have an accurate survey made of the property and to render a report thereon for the Commission's information and guidance in determining its future actions in regard to the matter.

Acquisition of a small park site overlooking the Pacific Ocean at Brookings, in Curry County. Mr. Boardman stated that he inspected this property and is of the opinion that Mr. Bankus should deed it to Curry County instead of to the state, inasmuch as it adjoins the county's airplane landing field at this location and fits in with the county's development. He pointed out that if the state accepted title to the property it would be necessary to construct approximately three miles of road to reach it from the highway. The Commission concurred in the viewpoint of the Parks Superintendent and ordered that Mr. Bankus be so advised.

Azalea tract adjacent to the Oregon Coast Highway at Brookings, in Curry County. The Parks Superintendent reported that a survey of this tract is now being made in accordance with instructions from the Commission. The Commission indicated its approval and requested a full report thereon at its next regular meeting on July 8, when a definite decision is to be reached whether or not to complete the purchase under the terms of the option which has already been secured. The Secretary pointed out that the option contains a provision that the Brookings Land and Townsite Company shall have perpetual easement for the construction and maintenance of water lines of the Brookings Water System over the entire tract, and a provision that the present owners shall retain possession of all buildings and appurtenances now existing upon the premises. The Commission indicated that it had no objections to such reservations.

Park area at the north end of the bridge over Depoe Bay on the Oregon Coast Highway, in Lincoln County. The Parks Superintendent reported an offer from the owner to sell this small parcel of land for \$2,000, which is \$500 less than the price he previously demanded. He advised that this tract is all that remains between the present state park and the entrance to Depoe Bay and it really should be owned by the state in order to fill out the present park and give the state control of all the property at this point. After some discussion the Commission instructed the Parks Superintendent to secure a six months' option to purchase this tract for the sum of \$2,000 if he cannot prevail on the owner to reduce the price.

In this connection the Engineer brought up for discussion the matter of widening the Depoe Bay bridge to take care of the increased volume of traffic on the Oregon Coast Highway. He gave as his thought that, inasmuch as the bridge is located in a community that is rapidly building up, the bridge should be widened for four lanes of traffic and provision should also be made for pedestrians. The Commission concurred in the Engineer's viewpoint and ordered that the plans for widening this structure be drawn up on such basis.

Purchase of wayside timber strips along the Quartz Mountain Section of the Klamath Falls-Lakeview Highway, in Lake County. The Parks Superintendent estimated that timber strips 500 feet wide on each side of the highway at this location would cost the state about \$5,000. He pointed out that the Commission has only a limited amount of money budgeted for the purchase of recreational areas and roadside timber strips, and inquired, in view of this fact, whether this money should be spent for tracts adjacent to highways that are used by tourists or for desirable tracts along highways that are considered primarily of commercial value. Chairman Cabell gave as his thought that the state would receive more benefits from wayside strips along the highways that are used by tourists than along the others, but that purchases should not be limited to such tourist routes. The Commission deferred a definite decision in the matter pending a full report thereon by the Parks Superintendent at a future meeting when Commissioner Aldrich is present.

Addition to Humbug Mountain State Park, in Curry County. The Parks Superintendent reported an offer from Fred Pfisterer to sell to the state 459 acres of land situate adjacent to the present state park at Humbug Mountain, at the rate of \$7.50 per acre. He said that this land joins that previously purchased from Mr. Pfisterer at the rate of \$25 per acre; that it contains a good stand of timber; and that he would like very much to have the state own it in order to fill out the present park and to protect the watershed. The Commission by unanimous vote authorized the Parks Superintendent to negotiate for the purchase of this tract at the rate of \$5.00 per acre. If Mr. Pfisterer will not sell at that price, then he is authorized to pay as much as \$7.50 per acre.

The Parks Superintendent advised that Mr. O. W. Taylor, Portland, wishes to know whether or not the State Highway Commission is interested in acquiring certain beach lands owned by the Gearhart Park Company at Gearhart, which was the subject of his letter of May 3, 1937, directed to the Commission's Attorney. He was instructed to inform Mr. Taylor that the Commission

does not care to acquire this property at the present time. He was also instructed to inform Mr. Taylor that the Commission cares not to lease or sell for private development certain acreage adjacent to the Upper Columbia River Highway at Eagle Creek in Multnomah County, concerning which Mr. Taylor also made inquiry in his said letter of May 3.

Acquisition of addition to Cape Lookout State Park in Tillamook County. The Parks Superintendent advised that the present park contains 975 acres which were acquired from the Federal Government without cost to the state, but it should be enlarged to include two tracts on the north side, both of which have a lovely beach frontage on the ocean, contain fine stands of second growth timber, and are ideally situated for park purposes and should be acquired by the state in order to fill out the present park and to protect the state's interests. One of these tracts, he said, is owned by Margaret Peters, Dorothy Sears and Alex Donaldson and contains 25.96 acres described as Lot 1, Section 36, T. 2 S., R. 11 W., W.M., and the other which contains 31.72 acres is owned by the Crown Willamette Paper Company and is described as Lot 2, Section 36, T. 2 S., R. 11 W., W.M. He further stated that the present owners are unwilling to dispose of their holdings and in his estimation, in view of the fact that they are really needed to fill out the present park, they should be acquired by condemnation; also, if the Commission will authorize such procedure and will acquire the areas, he will see to it that they are properly developed so that they can be enjoyed by the general public to the fullest extent. The Attorney reported that he had occasion a few days previously to consult with Mr. Frumm of the Crown Willamette Paper Company who stated, during the course of their conversation, that the Crown Willamette Paper Company has changed its views in regard to its holdings at Cape Lookout and is now willing to sell to the state property that the Park Superintendent wants as an addition to the park. After discussion, in which the Parks Superintendent repeated his pleas for the acquisition of the two tracts in question, the Commission indicated a favorable attitude and instructed the Attorney to contact the officials of the Crown Willamette Paper Company and ascertain how much they want for their property, and to secure a six-months' option to purchase the same if their price appears to be reasonable. Further action on the matter was deferred by the Commission pending the Attorney's report.

Installation of telephone service in Silver Creek Falls State Park. The Parks Superintendent advised that it is highly desirable that a telephone be installed in this park so that it will be available for any emergency that might arise in the park, including the reporting of forest fires. It was his thought that this feature alone would justify the installation because it might be the means of saving the state's investment in this district. He further advised that the construction of the pole line and facilities into the park area would cost the state nothing inasmuch as the work would be done by CCC workers and at government expense, but the state would have to agree to maintain the line after it was built. The State Highway Engineer gave as his thought that the Highway Commission should not agree to do this because it would be placing the state in the telephone business to which he is opposed. The Commission took the same attitude and thereupon denied the request. The Parks Superintendent was instructed to inform the CCC officials that the State Highway Commission is not interested in the proposition at the present time and

will not be interested until a telephone line in this locality is commercially desirable.

The Attorney for The Gilpin Construction Company and the General Construction Company, contractors for the construction of the Yaquina Bay Bridge at Newport, was present in regard to the proposed agreement covering the payment of the final estimate in connection with this project. He said that his clients have approved in general the provisions of the agreement but would like a clear understanding as to how long the Commission proposes to retain the \$5,000 certified check that is required to be deposited with the Commission pending the final adjustment of claims. He suggested a limit of six months. The Engineer suggested that the deposit be retained until the government gives its final approval to the project. He estimated that such approval would be secured within three months. The Commission approved the Engineer's suggestion and so ordered.

The Engineer reported the possibility of improving the intersection of the Sherman and Columbia River Highways at Dinty's Service Station in Sherman County as has been requested by the Sherman County Court. He advised that the only possibility of making a wider and safer approach from the Sherman Highway onto the Columbia River Highway at this point would be to remove Dinty's Service Station and rebuild the Sherman Highway intersection farther into the hills. He gave as his thought that the expenditure is not justified at this time because traffic from the Sherman Highway is required to stop before entering the Columbia River Highway and Columbia River Highway traffic has to slow down somewhat because the reconstruction of the Spanish Hollow Bridge narrowed down the intersection, and, in his estimation, no particular danger exists under present conditions. He recommended the deferment of the project until some future date. The Commission approved the recommendation unanimously.

The Commission had under consideration a request of Mr. Russell Hubbard Reedsport, for a survey of a proposed road extending south from the Umpqua Highway at a point about 1½ miles east of Reedsport, to Tenmile Lake or Lakeside, the cost of the same to be paid with funds belonging to the Umpqua Highway Improvement District. The Engineer estimated that it would take about six months to complete this survey and that it would cost about \$14,000; also that to construct the road, which would be about 17 miles long, would cost approximately \$500,000. He questioned the justification of such expense because the road would serve only a very small population and does not qualify as a state highway. He also said that he does not have an engineering crew available to conduct the survey at this time. The Commission approved the Engineer's report and instructed the Secretary to pass the information on to Mr. Hubbard with regret that the Commission can not assume this responsibility.

A letter was presented from Mr. Ray Conway, Manager of the Oregon State Motor Association, in regard to maintenance of telephone signs on state highway rights of way directing people to public telephone stations. The Commission deferred action on this matter pending discussion of the same by the Engineer with other prominent highway officials in Chicago during the coming week.

Consideration was given by the Commission to the claim of the Cascade Locks Water Company for losses which they allege were incurred by reason of the reconstruction of the Columbia River Highway through the town of Cascade Locks. The Company claims a loss of \$368 but offers to settle for \$275. The Engineer recited the history of this case and gave as his thought that the State is not liable for any damage that occurred but, on the other hand, the Water Company should really pay the State \$352.74 as reimbursement for expense that the State incurred in readjusting the water system. He recommended that the claim be denied. The Attorney advised that there is no legal way for the Commission to pay the claim if it wanted to. The Commission thereupon approved the Engineer's recommendation by unanimous vote.

The Engineer requested authority to purchase six new trucks of the Ford or Chevrolet type to replace six old G.M.C. trucks assigned to the bridge crews and to trade in such old trucks as part purchase price on the new ones. He estimated the net cost to the State would be approximately \$4,200. The Commission approved the request by unanimous vote.

The Attorney brought up for discussion the matter of changing the grade line of certain established city streets in Oregon City to conform with the grade line of the new highway through this town. He advised that, in order to legalize the grade line of the highway and to change the grades of the streets that intersect this highway, it is necessary for the city council to adopt an appropriate ordinance. However, when the matter was brought to the attention of the city council, it indicated an unwillingness to do this unless the State Highway Commission would agree to pay all damage claims that might arise by reason of the change in the street grade lines. He was authorized and instructed by the Commission to inform the city officials that the Highway Commission will pay all claims that it is legally required to pay on account of such change in grades and to recite to them the law covering the matter.

The Attorney called to the attention of the Commission a situation which prevails in North Bend with respect to certain real property owned by the city and which the state will probably need for right of way in connection with the proposed line change between North Bend and Marshfield. The Commission instructed the Engineer to ascertain what properties will be affected by the line change and especially city-owned properties. The Attorney was instructed, after such information has been determined, to contact the city officials and attempt to agree with them with respect to the acquisition of the property.

The Attorney reported on several damage claims arising out of the change in grade of certain city streets in Portland necessitated by the construction of the East Portland-Oregon City Highway, being the claims of the Morrison Trucking Company, Fred H. Peterson, the Peters Company, and Maude Campbell. He advised that he has reached an agreement with the Morrison Trucking Company to settle its claim for \$5,300 and that he has also arranged to settle the Peterson claim for \$495, but he has been unable to reach an agreement with either the Peters Company or with Mrs. Campbell. After a discussion the Commission approved settlement of the claims of the Morrison Trucking Company and Mr. Peterson on the basis of the Attorney's report and it was arranged that Chairman Cabell and the Attorney should confer with the Peters Company in

regard to its claim and that the Attorney should again endeavor to arrive at a satisfactory settlement with Mrs. Campbell.

The Assistant Attorney reported that he has investigated quite thoroughly the matter of acquiring parcels of privately owned property lying between the Oregon Coast Highway and the ocean beach as previously instructed by the Commission, but he is unable to find any properties that can be obtained at reasonable cost. He gave as his thought that it would be a waste of time to negotiate further for the acquisition of such properties and requested instructions in regard thereto. After discussion the Commission ordered that future negotiations for the purchase of property along the coast should be limited to the acquisition of right of way except that special endeavor should be made to acquire the land lying between the highway and the ocean at Short Sand Beach, in Tillamook County.

The Attorney reported briefly on the matter of securing title insurance in connection with land purchases. The Commission deferred action thereon until a meeting when Commissioner Aldrich is present.

The Commission considered and approved the Engineer's letter directed to Mr. Will H. Masters, Attorney at Law, Yeon Building, Portland, Oregon, in reply to his letter of June 16, 1937, relating to the bid of Wentworth & Irwin, Inc., of Portland, for furnishing to the State Highway Commission eight trucks and dump bodies, wherein the Engineer explains that this bid was not accepted because the company's equipment did not meet the state's specifications.

The Commission also considered and approved the Engineer's letter directed to all Division Engineers outlining the method of procedure to be followed hereafter with respect to log haulers who have been convicted of violating the weight limit laws in connection with their operations on state highways.

Reconsideration was given by the Commission to the Pearl S. Koble damage claim arising out of the construction of the Barren Creek-Wall Creek Section of the Pacific Highway in Jackson County, across the Koble property. It appears that the option taken from Mrs. Koble contains provisions that are impracticable of fulfillment and the question now arises how to dispose of this claim to the best advantage of the state in view of the fact that the highway has already been constructed. It appeared to the Commission that, inasmuch as Mrs. Koble's property was entered by highway construction forces before final settlement was made with Mrs. Koble for the right of way, the state is under obligation to settle the claim by fulfilling the provisions of the option agreement or by compensating Mrs. Koble in some other manner that is satisfactory to her. The Commission indicated its preference for a cash settlement and referred the matter to the Attorney to negotiate with Mrs. Koble on that basis.

The matter of compensating certain property owners in the town of Alsea for damages resulting from the construction of the Alsea-South Fork Section of the Alsea-Deadwood Secondary Highway in Benton County, Contract No. 1932,

had the attention of the Commission. It appears that the new highway, for about one block south of the Alsea Highway, is to be constructed about five feet higher than the old road and as a result the owners of the adjacent lots do not have proper means of access to their properties and are of the opinion that the state is obligated to remedy the existing condition. The Commission took the viewpoint that it is not responsible for damages in view of the previously rendered opinion of the Attorney as to the Commission's legal obligations in cases of this kind. The Assistant Attorney advised that in his opinion this case is somewhat different than cases considered heretofore in that, when right of way was acquired for this project, the location of the grade line was unknown and, had it been known that the grade was going to be five feet higher than the existing road, the property owners would have justly demanded additional compensation. The Engineer advised that investigations are now being made for the purchase of a maintenance headquarter's site in Alsea and there is a possibility that this particular location would satisfy the requirements, in which event the state could buy it which would dispose of the matter satisfactorily. He was instructed by the Commission to look into the matter from such standpoint and report his findings. Further consideration of the matter was deferred pending inspection of the premises by Chairman Cabell and the Engineer and completion of the road project by the state's contractor.

The Engineer advised that a question has arisen as to whether or not the Commission has ordered a survey to investigate the possibilities of relocating the Oregon Coast Highway along the beach through the Gleneden Beach District in Lincoln County. He gave as his thought that the Commission did not order such survey in view of the fact that the Commission previously adopted a much shorter route about a half-mile east of the present road. He requested a statement from the Commission to clarify the matter. He was informed by Chairman Cabell that the Commission did not order a survey along the beach at this particular point but evidently the misunderstanding arose out of the discussions when the Commission considered relocating the highway closer to the beach at points farther south.

The claim of the Pacific Telephone and Telegraph Company for reimbursement for expense incurred by reason of relocating its facilities to conform with highway construction work along the Upper Columbia River near Bonneville, in Multnomah County, had the attention of the Commission. The Engineer explained that the company had a private right of way across what is known as the Gudhart property but this fact was not considered in the state's condemnation proceeding for the acquisition of this property because it was thought a more amicable adjustment could be made with the company direct, and the company was given to understand at that time that it would be reimbursed for expense in readjusting its lines. He further advised that the telephone company's line formerly crossed and recrossed the new highway location and the railroad but they moved it temporarily to accommodate the highway and the railroad construction but now wish to replace it with permanent construction the expense of which the company is willing to assume but it is asking to be reimbursed for the temporary work and for the unused life value of the old line. He presented figures from the company indicating that it wants reimbursement in the amount of \$4,875 and advised that the company believes that

the army engineers will pay \$2,468 of such amount, which will leave a balance of \$2,407 or approximately half of the total, for the state to pay. He gave as his thought that there is nothing unfair in the method proposed by the company for the disposal of this claim and recommended settlement on the basis outlined, in other words, that the state assume the payment of approximately 50 per cent of the total bill. After considerable discussion the Commission approved the recommendation and authorized the Engineer to negotiate with the company on such basis.

Consideration was given by the Commission to the request of the County Court of Lane County that the county be permitted to pay its account with the state for road construction in six annual installments rather than in three which would permit the county to use the additional funds that it receives thereby for badly needed highway maintenance and construction work. The Commission expressed its desire to secure an early settlement of all of the county accounts and indicated its willingness to discount its claim against Lane County if the county will settle in full at once. The Commission authorized and instructed the Attorney to negotiate with the County Court for the settlement of the Lane County indebtedness on such basis, using \$200,000 as a starting figure.

He was also authorized and instructed to discuss with the Lincoln County Court the settlement of Lincoln County's account on a similar basis.

The Engineer reported that due to the reconstruction of the North Fork-Nehalem River Section of the Oregon Coast Highway in Clatsop County several small sections of the old highway right of way have been rendered valueless for highway purposes but that certain other sections should be retained by the state for use as stock pile sites or for other use in connection with the maintenance of this road. He exhibited a map showing the section in question and recommended that certain portions be retained by the state and the remaining sections be turned back to Clatsop County to dispose of as it sees fit. After due consideration the Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Highway Commission found it necessary to relocate portions of the North Fork Nehalem River Section of the Oregon Coast Highway in Clatsop County; and

WHEREAS, by reason of said relocation and reconstruction of said section of said highway there have been eliminated from the main travelled portion of said highway certain sections or fragments of land, which said sections or fragments of land are more specifically defined and described hereinafter in this resolution and are reflected on a print or map, marked "Exhibit 'A'", a copy of which is attached hereto and made a part hereof; and

WHEREAS, while those sections hereinafter described as the parcels to be retained and shown in orange on the attached print,

are not required for use as a part of the main or travelled section of the highway, nevertheless the same are required, can be used, and are essential for other public purposes, to wit: storage purposes, parking area and other public uses in connection with said highway; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to preserve for public use in connection with said highway the fragments or parcels of land hereinafter described as the parcels to be retained and shown in orange on the attached print; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission the purpose and plan of the Commission to abandon as parts of the state highway system certain portions of the highway eliminated from the main travelled portion of said highway, which sections are made unnecessary as a part of the completed highway and are shown shaded in violet on the attached print or map;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present, and affirmatively participating, as follows:

1. That the fragments or parcels of land which heretofore were within the right of way proper of the North Fork Nehalem River Section of the Oregon Coast Highway, but which by reason of a relocation or realignment of said highway are now without the area improved and used by the traveling public, but are adjacent to and abut upon the said right of way, which parcels are shown shaded in orange on the attached print, shall be preserved by the Highway Commission for such other public use as said land may serve in connection with the construction, improvement, and maintenance of said highway or the use of the same, which said parcels or fragments of land are described as follows, to wit:

(Parcels to be retained - shown in orange on attached print)

A strip of land sixty feet in width lying in the south one-half of the north one-half and the south one-half of the south one-half of Section 22 and in the Northeast quarter of the Northwest quarter of Section 27, Township 4 North, Range 9 West, W.M., Clatsop County, Oregon; and being more particularly described as follows:

Parcel No. 1: All that portion of the Oregon Coast Highway which lies on the easterly side of the 1937 reconstructed North Fork of the Nehalem River Section of said highway beyond an 80 foot right of way for said Section from Engineer's Station 1061+10 to Station 1066+55.

Parcel No. 2: All that portion of the Oregon Coast Highway which lies on the westerly side of the 1937 reconstructed North Fork Nehalem River Section of said highway beyond an 80 foot right of way for said section from Engineer's Station 1093+90 (which point is on the south bank of the North Fork of the Nehalem River) to Station 1102+70.

There are 1.47 acres in both parcels.

2. That the fragments of land confined within the area hereinafter described and designated as the parcels of land to be abandoned, which fragments were formerly within the limits of the right of way of the Oregon Coast Highway, be and said fragments of land are abandoned as a part of the right of way of said highway, and said fragments of right of way are, so far as control and supervision of this Commission are concerned, left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Clatsop County. The fragments of land to be abandoned are described as follows:

(Parcels to be abandoned - shown in violet on attached print)

All that portion of the old sixty foot highway right of way lying in Section 22, Township 4 North, Range 9 West, W.M., Clatsop County, Oregon, and being more particularly described as follows:

All that portion of the said old right of way of the Oregon Coast Highway which lies on both sides of the 80 foot right of way of the 1937 reconstructed North Fork Nehalem River Section of said highway, being situated as follows:

Parcel No. 1: On the west side of said reconstructed section from Engineer's center line station 1067+25 to Station 1074+05.

Parcel No. 2: On the west side from Engineer's Station 1077+20 to Station 1084+30.

Parcel No. 3: On the east side from Engineer's Station 1085+20 to Station 1089+90.

Parcel No. 4: On the west side from Engineer's Station 1090+30 to the south bank of the North Fork of the Nehalem River, opposite Engineer's Station 1093+90.

3. In addition to the foregoing descriptions of said fragments or parcels of land there is attached hereto a print or map, marked "Exhibit 'A'", which by this reference is made a part hereof, and

upon which map there are shown shaded in orange the parcels of land formerly within the old right of way, but which are now by this official act preserved for public purposes, and upon which map there are shown shaded in violet the abandoned sections of said right of way. Said exhibit or map for identification purposes bears the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and R. H. Baldock, State Highway Engineer, and bears date of May 12, 1937.\*

4. The Engineer hereby is instructed to properly and completely mark on the ground the boundaries of the fragments of land to be retained by the Highway Commission by erecting and maintaining thereon proper monuments or posts upon which shall be inscribed the words "State Property".

5. In the event there remains any physical connection between any portions of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portions of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to the said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed, and dedicated section of said state highway.

6. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Clatsop County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragments of land to be abandoned, and should said abandoned portions of the right of way of said Oregon Coast Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Clatsop County and beyond any responsibility or supervision by the State Highway Commission.

A letter was presented from Mr. Walter Norblad, City Attorney of Gearhart, Oregon, requesting in behalf of the City of Gearhart the construction of a pedestrian and/or bicycle path along the Oregon Coast Highway between Sixth Street in the city of Gearhart and the city limits of Seaside. The Commission denied the request, there being no funds available to finance such project and it being contrary to the present established policy of the Commission to expend state funds for purposes of this kind.

The Secretary presented letters from Louis A. McArthur, Secretary, Oregon Geographic Board, and County Judge Donald T. Templeton of Washington

\* Map filed in Right of Way Abandonment and Retention File - No. 42

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County, endorsing the request of Glencullen Community Center that the wording on the highway signs in the Glencullen district, southwest of Portland, be changed from "Fairvale" to "Glencullen" to conform with the new name of the post office at this place. The Commission thereupon authorized the Engineer to change these signs accordingly.

The Commission considered and ordered acknowledged with thanks letters as follows regarding certain highway improvements: Letter from the Amity Community Commercial Club expressing appreciation for improvements made on the Amity-Dayton Secondary State Highway. Letter from County Judge W. R. Cook, Jefferson County, thanking the Commission for extending the limits of its Warm Springs Highway contract to Miller Flat at the top of the Deschutes River Canyon.

A letter was presented from Mayor E. H. Ford, Reedsport, in which the Commission was asked to maintain, as a state highway route, their city street that was formerly used as a connection between the Umpqua Highway and the Oregon Coast Highway before the Umpqua River Bridge was constructed. The Engineer advised that he told Mr. Ford that he could not recommend to the Commission that this old highway route be retained on the highway system because a new connection has been provided between these two highways and it is contrary to the policy of the Bureau of Public Roads and the State Highway Department to maintain more than one state highway connection through any town. The Commission approved the Engineer's reply.

The Commission considered a letter from Shasta View Grange, Klamath Falls, in which the Commission was requested to establish a 40-mile an hour speed limit on The Dalles-California Highway between South Sixth Street in Klamath Falls and the junction with the Klamath Falls-Lakeview Highway, in order to lessen the possibility of accidents occurring. They advised that statistics show that nearly all of the fatal accidents in Klamath Falls have occurred on South Sixth Street and in their estimation these will increase rapidly when their new grade school and junior high school, which are located on this street, are put into use, hence their request for protective measures of some kind. The Engineer advised that the section between the city limits and the junction with the Altamont road, a distance of about a mile and a half, has built up until it is now practically a busy city street and in his estimation traffic should be required to slow down when passing through this district. He recommended a maximum speed limit of 35 miles per hour. The Commission approved the Engineer's recommendation by unanimous vote subject to its legal authority to order such speed reduction. The Attorney was instructed to advise the Engineer in regard thereto.

The Commission considered and ordered filed a letter from the Springfield Chamber of Commerce urging the preservation of roadside timber along state highway rights of way.

The Commission also ordered filed a report from the State Parks Superintendent, Mr. S. H. Boardman, on the 22nd meeting of the National Recreational Congress that he attended in Atlantic City on March 17 to 21, 1937.

The Attorney reported that all right of way matters in connection with the Phoenix-Bear Creek Section of the Pacific Highway in Jackson County, for

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which the Commission received bids at its meeting held on June 3, are now clarified and from that standpoint the Commission is now free to award the contract if it so desires. The Engineer recommended the award of this contract, which involves 3.42 miles of grading and Portland cement concrete pavement, to Jacobson-Jensen Company, Portland, who submitted the low bid therefor at \$159,771.50. Mr. Tom M. Davis, Highway Engineer, Bureau of Public Roads, stated that the Bureau of Public Roads would concur in such award. The Commission thereupon by unanimous vote approved the award of this contract as recommended by the Engineer.

The Engineer requested authority to make location surveys for a number of highway improvements. He submitted a list of such surveys which the Commission carefully considered. Commissioner Tou Velle moved that the State Highway Engineer be authorized and instructed to make such location surveys on various sections of the highways of this state which said sections of highways together with their identification survey numbers and the amounts authorized and allocated for survey expenditures are as follows:

Location # 12-2805 - John Day-Prairie City Section of the John Day Highway in Grant County. 3rd authorization \$500.00. Total authorization \$2,750.00.

Location # 20-2803 - Salt Creek Falls-Klamath County Line Section of the Willamette Highway in Lane County. 6th authorization \$1,550.00. Total authorization \$5,000.00.

Location # 36-2808 - McMinnville Section of the Pacific Highway West in Yamhill County. 3rd authorization \$156.50. Total authorization \$1,656.50.

Location # 36-2809 - North Yamhill River-St. Joe Overcrossing, Pacific Highway West in Yamhill County. 2nd authorization \$205.45. Total authorization \$705.45.

Location # 36-2810 - Bellevue-McMinnville Section of the McMinnville-Tillamook Highway in Yamhill County. 2nd authorization \$106.18. Total authorization \$3,106.18.

Location # 36-2811 - St. Joe Overcrossing-Lafayette Section of the Pacific Highway West in Yamhill County. 2nd authorization \$168.75. Total authorization \$888.75.

Location #106-2811 - Charleston-Cape Arago Section, Cape Arago Secondary Highway in Coos County. 2nd authorization \$450.00. Total authorization \$4,050.00.

The motion was duly seconded and was declared by Chairman Cabell to have carried by the unanimous vote of the Commissioners present.

Consideration was given by the Commission to the following requests for extensions of time within which to complete various highway construction projects:

J. W. and J. R. Hillstrom, contract No. 1884, for resurfacing and production of rock for the McKenzie Pass-Little Butte Section of the McKenzie Highway, in Deschutes County, requested an additional extension of time, from May 31 to July 15, 1937, within which to complete this project. They gave adverse weather conditions as their reason for failure to complete the project within the specified time limit and advised that, while part of the work was completed last fall, some of it had to be postponed until this year and they were unable to commence this year's operations until June 2 and even then found it necessary to shovel snow in order to reach their camp. The Engineer advised that the hardness of the rock that the contractors were to furnish for this job considerably slowed down the rock production operations so that the contractors were unable to complete the project as soon as was expected although they have worked consistently, have a good plant, and have used the best methods available. He further stated that the delay has not inconvenienced traffic, neither has it increased very much the state's expense for engineering supervision. He recommended that the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

Smith & Company, contract No. 1924, for furnishing crushed gravel in stock pile for the Castle Rock-Umatilla County Line Section of the Columbia River Highway, in Morrow County, requested an extension of time, from May 31 to July 15, 1937, within which to complete this contract. They attributed their failure to complete the project within the specified time limit to bad weather conditions which hindered progress on another contract that they have with the State Highway Commission at Arlington. The Engineer advised that Smith & Company were awarded two contracts at the same time and with suitable weather during the early spring both jobs could have been completed within the specified time limit; however, weather conditions at Arlington were adverse and as a result the completion of the Arlington project was delayed and inasmuch as the contractor had only one crushing plant for both jobs the commencement of the Castle Rock project had to be deferred. He explained that the contractors have produced sufficient rock for this year's maintenance requirements so the state has not been inconvenienced by failure of the contractors to complete the project within the specified time limit and has not incurred any additional expense for engineering supervision. He recommended therefore that the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

Schmeer, Williams & Gentemann, contract No. 1939, for furnishing crushed rock in stock pile for the Condon-Fossil Section of the John Day Highway in Gilliam and Wheeler Counties requested an extension of time of one month, from May 31 to June 30, 1937,

within which to complete this job. They attributed their delay to wet and muddy conditions of their quarry. The Engineer advised that materials for this project are manufactured from talus slide which in the early spring was very wet and could not be screened satisfactorily so it was necessary for the contractor to postpone the commencement of construction operations. He further advised that the contractors have furnished sufficient materials for this year's maintenance requirements so the state has not been inconvenienced by the delay, neither has the state incurred any extra engineering costs. He recommended the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

The Engineer reported that the following contracts for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance:

Contract No. 1897 with Saxton & Looney and J. S. Risley for resurfacing the Klaskanine Summit-Jewell Section of the Nehalem Secondary Highway in Clatsop County. Completed May 25, 1937.

Contract No. 1961 with Babler Bros. for oiling the River and Bachelor Flat Roads in Columbia County. Completed June 3, 1937.

The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the respective contracts and that said jobs are now ready for acceptance:

Contract No. 1897 with Saxton & Looney and J. S. Risley for resurfacing the Klaskanine Summit-Jewell Section of the Nehalem Secondary Highway in Clatsop County. Completed May 25, 1937;

Contract No. 1961 with Babler Bros. for oiling the River and Bachelor Flat Roads in Columbia County. Completed June 3, 1937.

NOW, THEREFORE, BE IT RESOLVED that the work covered by said State Highway Commission contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with The Gilpin Construction Company, a corporation, and The General Construction Company, a corporation, relating to the payment of the final estimate in connection with the Yaquina Bay Bridge Contract on the Oregon Coast Highway, in Lincoln County, being State Highway Contract No. 1635.

Agreement with W. D. Charlton and Rose A. Charlton relative to property in Lots 25 and 26 of Block 8 of the recorded plat of Burlington and being situate adjacent to the Lower Columbia River Highway in Multnomah County. (Legal file No. 737)

Agreement with Elmer Bankus, Brookings, Oregon, relative to certain excavation work that is to be performed on the right of way of the Oregon Coast Highway at the north end of the Chetco River Bridge at Brookings, in Curry County.

Agreement with the United States Department of Agriculture, Bureau of Reclamation, same being a permit authorizing the Bureau of Reclamation to construct two eleven-foot timber span bridges at mile post 20.98 on the Jordan Valley Secondary State Highway, in Malheur County.

Agreement with the Oregon Western Colonization Company providing for the elimination of a cattle pass at mile post 22.1 on the Crooked River Secondary Highway in Crook County.

Agreement with J. R. and Wilhelmine S. Post providing for the elimination of a cattle pass at mile post 21.1 on the Crooked River Secondary Highway in Crook County.

Agreement with Mary E. and Albert Way providing for the elimination of a cattle pass at mile post 8.2 on the Crooked River Secondary Highway, in Crook County.

Agreement with the City of Condon whereby the city assumes the obligation to maintain at city expense a certain area in the city of Condon that is to be developed as a federal aid landscaping project, being situate adjacent to Main Street in Condon between Court Street and Bayard Street and being designated as project No. FAP 114-A.

Bargain and sale deed conveying unto Arthur J. Cavette and wife 924.6 square feet of land situate in Lot 7, Riverside Homestead Addition to the City of Portland and lying outside of the standard width highway right of way.

Bargain and sale deed conveying unto Carl Edmundson 4075 square feet of land situate in Lot 1, Block 67, Reservation

Addition to the City of Portland, and lying outside of the standard width highway right of way.

There being no further business to come before the Commission at this time the meeting was adjourned at 5:00 o'clock p. m.

*H. B. Glaisyer*  
State Highway Engineer

*H. B. Glaisyer*  
Secretary

*Henry F. Cabell*  
Chairman

*E. B. Aldrich*  
Commissioner

*F. L. Tou Velle*  
Commissioner

Portland, Oregon, July 8, 1937.

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman  
E. B. Aldrich, Commissioner  
F. L. Tou Velle, Commissioner  
R. H. Baldock, State Highway Engineer  
J. M. Devers, Attorney  
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects were opened and read in accordance with previously published notice:

PACIFIC HIGHWAY  
NORTH ROSEBURG SECTION  
PORTLAND CEMENT CONCRETE PAVEMENT

Edlefsen-Weygandt Company	\$ 53,179.50
Mountain States Construction Company	54,813.50
Jacobsen-Jensen Company	58,314.50
The United Contracting Company	60,450.50

CENTRAL OREGON HIGHWAY  
LAKE COUNTY LINE-GAP RANCH SECTION  
REGRAVING, SURFACING AND ASPHALT BINDER COURSE

Warren Northwest, Inc.	\$ 75,795.00
A. Milne	77,852.50
Babler Bros.	81,352.00
Homer G. Johnson	87,859.60
E. C. Hall Company	95,705.90

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PACIFIC HIGHWAY EAST  
UNION AVENUE BRIDGE OVER SULLIVAN GULCH  
REMODELING AND WIDENING

Gilpin Construction Company	\$70,252.50
Parker-Schram Company	78,387.50
L. H. Hoffman	81,130.00

WEST PORTLAND-HUBBARD HIGHWAY  
CONCRETE OVERCROSSING OVER SOUTHERN PACIFIC COMPANY'S TRACKS

Harold Blake	\$34,919.00
Roy L. Houck	35,333.00
Leonard & Slate	36,794.00
Joplin & Eldon	39,353.50
Edlefsen-Weygandt Company	39,989.00
Wren & Greenough	40,710.80
C. J. Montag & Sons	42,214.00
Kern & Kibbe	45,000.00
George Schmidt	46,003.50
Parker-Schram Company	47,679.00
Jacobsen-Jensen Company	48,817.00

PACIFIC HIGHWAY WEST  
LAFAYETTE SECTION - PAVING

Mountain States Construction Company	\$23,762.00
Edlefsen-Weygandt Company	24,360.00
Jacobsen-Jensen Company	25,714.00
The United Contracting Company	25,740.00
Harold Blake	25,969.00
Parker-Schram Company	27,404.00

PACIFIC HIGHWAY WEST  
SOUTH YAMHILL RIVER SECTION  
GRADING, PAVING, BRIDGE OVER SOUTH YAMHILL RIVER,  
SUBWAY PIERS UNDER SOUTHERN PACIFIC COMPANY'S TRACKS

Mountain States Construction Company	\$158,131.00
C. J. Montag & Sons	169,259.50
Tom Lillebo	174,079.50
Joplin & Eldon	177,481.50
Kern & Kibbe	178,126.50
Harold Blake	185,023.50
Parker-Schram Company	191,920.50
Saxton & Looney and J. S. Risley	203,344.00

Chairman Cabell announced that the award of contracts would be made at 2:30 o'clock p. m. in the same room.

JUL 8 1937

The State Parks Superintendent was present and presented the following state park matters:

Azalea tract, adjacent to the Oregon Coast Highway, at Brookings, Curry County. The Parks Superintendent advised that a survey of this tract has been made in accordance with previous instructions from the Commission, and it is his recommendation that the state acquire 21.8 acres of the same at the rate of \$100 per acre, which was the price quoted by the owner, Mr. Elmer Bankus, of Brookings. The balance of the tract, he said, is not particularly of value from the state parks' standpoint. The Commission approved the recommendation by unanimous vote.

Juniper tracts adjacent to The Dalles-California Highway, between Bend and Redmond. The Parks Superintendent urged the acquisition of several 40-acre tracts in this vicinity, in order to preserve the juniper trees growing thereon. He explained that there is a scarcity of trees along the highway in this vicinity, especially juniper trees, and, in his estimation, the state should make certain that the existing trees be preserved, particularly in view of the fact that they are fine examples of tree growth that is rapidly disappearing. He further explained that the tracts in question are "Carey Act" lands under the control of the State Board of Control, and recommended that the State Board of Control be requested to retain possession of the same for scenic effect; also that it might be necessary to pay the Board something for them. After some discussion the Commission instructed the Parks Superintendent to find out how much the Board of Control wants for these tracts and to report his findings to the Commission at a future meeting, when the Commission will make its decision.

Addition to Silver Falls State Park, in Marion County. The Parks Superintendent advised that, in accordance with authority previously granted him by the Commission, he contacted Mr. Fred Volz relative to the purchase of a 55-acre tract of land owned by him and situate adjacent to the present state park at the South Falls, but Mr. Volz refuses to set a price on his property; so, if the state wants to acquire it as an addition to the park, it will be necessary to secure it by condemnation. He further stated that the tract contains a fine stand of virgin timber and is badly needed in order to fill out the present park and to keep the area from being commercialized, which detracts from the present state park where accommodations are free to the general public. The State Highway Engineer recommended acquisition of the property if it can be purchased for a reasonable sum and that the Attorney be authorized to condemn the area if Mr. Volz will not settle otherwise. After considerable discussion, the Commission by unanimous vote authorized the Attorney to institute condemnation proceedings to acquire this property, in order to ascertain how much the state will have to pay for it. However, the Commission ordered that the purchase price of the land be not paid to the owner until the Commission has issued further instructions in regard thereto. The Commission referred the entire matter to the Legal Department to handle.

Use of a portion of Jessie M. Honeyman State Park, in western Lane County, by the Campfire Girls. The Parks Superintendent advised that he has again been approached by representatives of the Lane County Campfire Girls

relative to the use of a portion of this park. It appears that the Campfire Girls established a summer camp in this park, thinking it was government property; but when the boundaries of the park were definitely determined it was found that the camp was located partly on state property and they were asked to vacate the premises so they could be cleaned up and developed along with the balance of the park; but they do not want to do so because they like the location and desire to retain the area in its primitive condition. It also appears that the proposition has been put up to the Parks Superintendent to sell a portion of this park to the United States Forest Service, thus eliminating it from the state park so that the Campfire Girls can have it for their own use. The Parks Superintendent recommended against such proposition and the Commission approved the recommendation by unanimous vote. The Commission instructed the Parks Superintendent to notify the Campfire Girls to secure another site for their summer camp so that full use and enjoyment of the state park may be had by the general public.

20-acre timber tract owned by W. Vaughn and situate adjacent to the Crater Lake Highway, in the S. W.  $\frac{1}{4}$  of the S. W.  $\frac{1}{4}$  of Section 16, T. 33 S., R. 2 E., W. M., near Cascade Gorge, in Jackson County. The Parks Superintendent advised that this tract joins two 40-acre tracts that the Commission previously authorized acquiring and that he has an option from the owner to purchase the same at the rate of \$37.50 per acre. He recommended purchase of the tract at such figure. The Commission approved the purchase by unanimous vote.

The Commission referred to the Parks Superintendent a letter from the Tillamook County Court suggesting that the Commission acquire for park purposes a certain tract of land adjacent to the Wilson River Highway, in Tillamook County, before the timber standing thereon is removed, with instructions to secure an option to purchase the tract. He was also instructed, when the option is secured, to contact the members of the county court and ask them to secure from the Weyerhaeuser Timber Company certain strips of timber land adjacent to this highway, which timber strips the company agreed to donate to the state if the state would construct the highway up to a certain point, which has been done.

The Parks Superintendent read aloud excerpts from a letter that he has received from the National Parks Service requesting the state to sponsor a W.P.A. project to secure certain information which is to be made a part of a report on the recreational features of the state, a survey of which is now under way. The Engineer advised that most of the information that they want is now being obtained through the medium of the State-wide Planning Survey, and, in his estimation, complying with the request would simply mean a duplication of effort. He recommended that action on the National Parks Service's request be deferred until completion of such survey. The Commission approved the recommendation unanimously.

The County Court of Lane County, represented by County Judge Fred Fisk and County Commissioners Walter J. Holland and C. M. Young, came before the Commission in regard to a settlement of the county's indebtedness to the

state, amounting to approximately \$265,000. Also present were District Attorney L. L. Ray, J. E. Turnbull, and W. J. Tugman, all of Eugene.

Judge Fisk stated that the County Court has given considerable study to the Commission's offer to settle this claim for \$200,000 cash but they are not in a position to accept the same on account of lack of funds. He recited the history of Lane County's indebtedness for road purposes and gave as his thought that the county would not have been required to contribute so heavily to the state road expense if conditions, when the obligation was incurred, had been anything like they are today. He asked the Commission to consider this in discussing the settlement with the county and suggested settlement on the basis of payment of \$170,000 in two annual installments. He gave as his thought that if the Commission would settle on such basis, the county could take care of its obligation shortly after January 1, 1938, by utilizing a certain small amount of cash in their general fund and by budgeting an additional amount this fall. It was his thought that the Commission would be justified in making such settlement because then it would have \$170,000 extra with which to match Federal Aid funds.

Chairman Cabell advised that the state could not settle with the county for less than \$200,000. Judge Fisk then stated that the county would accept the state's offer to settle on the basis of \$200,000, payable on or shortly after January 1, 1938, provided the state will release to the county the \$42,500 payment of the county's share of the state gasoline tax fund payable in July, 1937, so as to permit the county to finance badly needed road improvements this year.

After discussion, the following arrangement for settling the county's account was approved by all parties concerned: The state is to release to Lane County the \$42,500 payment of the county's share of the gasoline tax fund which is due and payable in July, 1937; the State Highway Commission is to retain \$42,500 of such fund, which is due and payable in December 1937; Lane County is to pay to the state on January 1, 1938, or within a few days after such date, the sum of \$157,500 in cash, which amount, together with the \$42,500 due in December, 1937, totals \$200,000. It was agreed that, if this arrangement is not carried out in full, Lane County will reimburse the State Highway Commission in the amount of \$42,500 by assignment of additional funds due the county from the state, and the original assignment will then remain in full force and effect until the original indebtedness has been satisfied in full.

The matter was referred to the Attorney to prepare an appropriate form of agreement covering the arrangement, after first consulting with the District Attorney of Lane County.

Judge Fisk then asked the Commission to spend this \$200,000 for the construction of state highways that are located within the borders of Lane County. Chairman Cabell advised that he did not see how the Commission could definitely promise to do this because, in his estimation, it would be unfair to the rest of the state; furthermore, the Commission has definite obligations that it is trying to meet, so it should be free to spend this money in any way that it deems best. Mr. Tugman stated that he, personally, is willing to take

a chance on the Commission doing the right thing, and it was accordingly agreed by all that such feature should not be mentioned in the agreement.

A delegation headed by City Commissioner Ormond R. Bean, Portland, came before the Commission in regard to the recognition of the name "Old Oregon Trail" on state highway maps and other publicity data issued by the State Highway Department. Others in the delegation were Mrs. O. P. Todd, President of the Sons and Daughters of Indian War Veterans; Mrs. Ida Steele, Mrs. A. M. Brown, Walter Meacham, Walter Hambrey, Harvey Starkweather and Ivan Humason, representing the Sons and Daughters of Oregon Pioneers.

They asked that the name "Old Oregon Trail" be placed on the map in order to preserve the historical significance of this road. Chairman Cabell advised that the map is primarily for the benefit and guidance of all classes of the motoring public, that the tendency today is to designate routes by number rather than by name, because numbers can be placed in numerous places along any route for convenience of the traveling public, whereas names cannot be so placed without considerable crowding. He suggested that it might be satisfactory to call attention to the Old Oregon Trail and other important highways by a special note in one corner of the map, and advised, if that would satisfy the delegation, the Commission would take the matter under advisement and see what could be done in that regard. He added that it would be impracticable to print the names of the highways on the map because the motoring public looks for route numbers rather than for names. The members of the delegation expressed themselves as being satisfied if such arrangement is carried out.

County Judge Nelson B. Higgs, Harney County, was present and inquired as to the plans of the Commission for additional construction work on the Central Oregon Highway between Bend and Burns and between Burns and Ontario. He was informed that the Commission took bids today for the construction of 7.61 miles between the Lake County line and Gap Ranch, and on June 3, 1937, took bids for the oiling of about 25 miles of this highway between Horse Ridge and Brothers, in Deschutes County; further, that on April 27, 1937, the Commission awarded a contract for the oiling of the 22-mile section between Burns and Buchanan, which is about all that the Commission can afford to do on this highway this year.

County Commissioner William Baer of Deschutes County was present. He asked the Commission to designate as a secondary state highway the county road which extends up Tumalo Creek, in Deschutes County. He was informed by Chairman Cabell that the Commission has established a policy that will not permit designating any more secondary highways until the State-wide Planning Survey which is now in progress, is completed, but the Commission will give consideration to this road at the proper time. Mr. Baer then advised that Deschutes County owes the state some \$4000 for road purposes. He said that, if the Commission will agree to cancel this obligation, the County will agree to spend this money for the improvement of the Tumalo Creek Road.

Chairman Cabell advised that the Commission could not do this because the Tumalo Creek Road is not now on the state highway system and it

would virtually mean that the Commission would be spending state money for the improvement of a road over which it has no legal jurisdiction. The matter of designating Federal Aid Secondary Highways was then discussed briefly. Mr. Baer stated that the Deschutes County Court is not clear in its understanding of the requirements for the selection of roads to be included in this system. Assistant Office Engineer Oscar Cutler was instructed by the Commission to contact the County Court and explain the Federal Aid Secondary Highway setup and pertinent facts in regard to the State-wide Planning Survey so that the County Court will be conversant with the details of such matters when the Commission confers with the Court in regard to the selection of the Federal Aid Secondary Highways in Deschutes County.

Mr. E. J. Rodgers, Roseburg, came before the Commission and requested improvements to his property located adjacent to the newly-constructed Pacific Highway near the north city limits of Roseburg. It appears that Mr. Rodgers conducts a tourist campground and that the new highway has been constructed several feet lower than the natural ground level in front of his premises, so that it is only with difficulty that tourists can drive their cars onto his grounds. He asked the Commission to level off his premises so that tourists can use his facilities conveniently and with safety. He said that he has \$10,000 invested in this place and that under present conditions he is receiving only a very small percent of the patronage that he formerly enjoyed. He alleged that he did not understand, when he donated right of way for the highway, that his property would be affected so adversely; otherwise, he would have demanded damages rather than simply the construction of a new approach roadway.

The Assistant Attorney advised that Mr. Rodgers was very fair in the settling for right of way, and in his estimation there was an honest misunderstanding on the part of Mr. Rodgers as to the grade of the highway in front of his premises. After discussion the Commission decided to complete the grading work in front of Mr. Rodgers' premises, including the approaches to his campground, in accordance with the original plan. Mr. Rodgers' complaint was referred to the Attorney for further investigation, to determine absolutely whether or not there was an honest misunderstanding on the part of Mr. Rodgers in regard to the highway grade line. In the event the Attorney is convinced that there was an honest misunderstanding, then the matter is to be referred to the Commission for further consideration. Chairman Cabell added that if the Commission decides to reopen this case, there is a question whether or not the Commission will consider settlement on the basis of additional land payment or payment for damages to the property.

The Commission adjourned at 12:15 o'clock p. m., to reconvene at 1:30 o'clock p. m. in the same room.

The State Highway Commission reconvened at 1:30 o'clock p. m. in the Auditorium of the Public Service Building, with all Commissioners, the State Highway Engineer, the Secretary, and the Attorney present.

W. H. Lynch, District Engineer, and H. W. Farmer, Senior Highway Engineer, representing the Bureau of Public Roads, were present in regard to

the programming of approximately \$80,000 Forest Highway Funds that have accumulated as savings from recently contracted forest road projects. Mr. Lynch gave as his thought that, inasmuch as these savings had accumulated on Willamette Highway construction work, they should be allocated for additional work on such highway. The members of the Highway Commission concurred. After considerable discussion, the following rearrangement of projects on the Willamette Highway was agreed to by mutual consent, subject to confirmation by Mr. C. J. Buck, Regional Forester, inasmuch as Forest Highway Funds are involved:

The Bureau of Public Roads shall return to the State Highway Commission \$20,000 of state funds heretofore paid to the Government as state cooperation for the construction of the Salmon River Highway oiling project. The State Highway Commission shall construct the tunnel section of the Willamette Highway, 0.25 mile in length, as a Federal Aid project, estimated cost \$140,000, which project was originally scheduled to be constructed by the Bureau of Public Roads as a Forest Highway project. The Bureau of Public Roads shall construct as a Forest Highway project the Tunnel-Salt Creek Falls Section, 0.37 mile in length and estimated to cost \$100,000, and shall also construct as a Forest Highway project as much of the Salt Creek Falls-Salt Creek Section as can be financed with the \$80,000 available, thus relieving the state from such obligation.

Mr. Farmer then advised that the U. S. Forest Service is desirous that the state maintain the road which extends from the Mount Hood Highway to the lodge at the timber line on Mount Hood. The State Highway Engineer questioned the advisability of assuming such responsibility because of the huge amount of snow that would have to be removed each winter in order to maintain traffic, and the high cost involved. The Commission took no action on this matter but indicated that it would refuse to take over the maintenance of this road with which, up to the present time, it has had nothing whatsoever to do.

Mr. Milton A. Miller, Portland, was present and asked the Commission to sponsor additional W.P.A. improvements in Champoege Park. The Commission denied his request.

A delegation from Douglas County, consisting of County Judge George K. Quine; W. C. Harding, Secretary of the Roseburg Chamber of Commerce; A. C. Marsters, and Harris Ellsworth, came before the Commission in regard to the North Umpqua Road. Mr. Marsters headed the group. They asked that this road be placed on the Federal Aid Secondary Highway System and that the State and the U. S. Forest Service work together in the construction of the same, especially between Steamboat Creek and Roseburg. They alleged that the road now carries a large volume of travel, which will increase when it is opened up to a connection with the Skyline Boulevard; that the road is of great value for commercial purposes as well as for tourist use, being the most direct route from the Umpqua Valley to Central Oregon. They urged the Commission to construct to proper standards, as soon as possible, the section between Roseburg and Rock Creek where it is not now on permanent location, and advised that the county does not have funds to finance such construction and feels that it is not justified in spending money to improve the present road.

Chairman Cabell advised that the Commission has not yet selected the roads that are to be included in the Federal Aid Secondary Highway System but will be glad to consider the North Umpqua road in its discussion with Douglas County Court, at the proper time. He pointed out that the money available to the Commission for Federal Aid secondary highway construction projects does not aggregate a very great amount and that such funds must be distributed throughout the state; so, in any event, the Commission could not allocate a very large amount to this road.

Mr. Harding advised that their main object is to secure the recognition of this road so that it can be improved when money is available to finance the work.

Mr. T. B. Watters, Chairman of the Roads and Highways Committee of the Klamath County Chamber of Commerce, was present in regard to the improvement of the Algoma-Terminal City Section of The Dalles-California Highway and the construction of the Modoc Point-Lobert Section of such highway on the proposed new alignment between Modoc Point and Chiloquin. He gave as his understanding that the Commission at one time appropriated money for the reconstruction of the Algoma-Terminal City Section but later reallocated these funds for the construction of the Modoc Point-Lobert Section, which project they understood was to be constructed this year; but, inasmuch as no start has as yet been made, they are wondering if the money has been retransferred to finance some other project.

Chairman Cabell advised that the Commission has not contracted the Modoc Point-Lobert Section because it wanted to make sure that the location was correct before starting construction. He further advised that the project has not been abandoned but has simply been delayed and will be started this year if at all possible; also, that the delay was necessitated in order to give the Engineer time to make additional surveys of an alternate route proposed by the people of Chiloquin who were dissatisfied with the original location recommended by the Engineer.

The State Highway Engineer advised that present indications are that the Commission will advertise this project in October. He confirmed Chairman Cabell's statement that the Commission has not abandoned the project and that construction will be started this year, if possible. He added that whether or not the job is started this year, Klamath County will secure during the two-year period, 1937-1938, just as much money for road purposes as if the project were undertaken this year. He pointed out that there are three projects involved; namely, Modoc Point to Lobert, Lobert railroad grade separation project, and the Lobert-Klamath Agency project.

Mr. Watters then brought up for discussion the matter of improvements to the Klamath Falls-Lakeview Highway. He inquired as to the plans of the Commission to undertake additional improvements on this road, in view of the fact that the Commission's P.W.A. program did not materialize. Chairman

Cabell advised that there are two possibilities but neither of them is very likely, the first being that the improvements can be financed as a Federal Aid Secondary Project; and, second, some state money might be allocated to this road in the event the Commission's revenues increase. He pointed out that Regular Federal Aid money cannot be used to finance the road because it is not a Federal Aid highway and cannot be placed on the Federal Aid System at this time because there is insufficient mileage available to meet the Government requirements. He also advised that, while the Commission will consider including the road in the Federal Aid Secondary Highway System, there is a possibility that the Federal Government will not approve such designation because the road is a primary state highway.

Mr. Watters then asked the Commission to consider seriously completion of the reconstruction work through the town of Dairy. He advised that the way the highway is now laid out, with numerous curves, a hazardous condition exists which is conducive to traffic accidents, and, in his opinion, the Commission should complete this revision at the earliest possible time. The State Highway Engineer estimated that the grading and surfacing of this one-half mile section would cost about \$20,000 and recommended it when funds are available. The Secretary presented petitions bearing the names of 134 residents and taxpayers of Klamath County who request the improvement. The Commission decided to give this job preference in its next program for state funds.

At 3:00 o'clock p. m. Chairman Cabell announced the following awards of contracts for which bids were taken in the morning session, the awards having been previously approved by the Commission by unanimous vote:

"North Roseburg Section of the Pacific Highway, in Douglas County. 0.91 mile Portland cement concrete pavement. The Commission received four bids for this job, the low one being that of Edlefsen-Weygandt Company, Portland, at \$53,179.50. The second low bid was that of the Mountain States Construction Company, Eugene, at \$54,813.50. The Commission has awarded this contract to the low bidder, Edlefsen-Weygandt Company, at their low bid of \$53,179.50.

"Lake County Line-Gap Ranch Section of the Central Oregon Highway, in Harney County. 2.12 miles regrading and 7.61 miles surfacing and asphalt binder course. The low bid received for this project was that of Warren Northwest, Inc., Portland, at \$75,795.00. The second low bid was that of A. Milne, Portland, at \$77,852.50. There were three higher bidders. The Commission has rejected all of these bids and has ordered the project readvertised for bids to be received at the next meeting.

"Remodeling and widening Union Avenue Bridge over Sullivan Gulch on the Pacific Highway East, in Portland. The Commission received three bids for this job, being those of the Gilpin Construction Company, Portland, at \$70,252.50; Parker-Schram Company, Portland, at \$78,387.50; and L. H. Hoffman, Portland, at \$81,130.00. The Commission has rejected all of these bids and has ordered the job readvertised for bids to be received at the next meeting.

\*Construction of a concrete overcrossing structure over the Southern Pacific Company's tracks and 0.506 mile highway roadbed construction near Cook Station on the West Portland-Hubbard Highway, in Washington County. The low bid for this job was submitted by Harold Blake, Portland, at \$34,919.00. The next low bid was that submitted by Roy L. Houck, Salem at \$35,333.00. There were nine higher bidders. The Commission has awarded the contract to the low bidder, Harold Blake, at his bid of \$34,919.00.

\*Lafayette Section of the Pacific Highway West, in Yamhill County. 0.40 mile paving. The low bid was that of the Mountain States Construction Company, Eugene, at \$23,762.00. The next low bid for this job was that submitted by Edlarsen-Weygandt Company, Portland, at \$24,360.00. There were four higher bidders. The Commission has awarded this contract to the low bidder, Mountain States Construction Company, at its bid price of \$23,762.00.

"South Yamhill River Section of the Pacific Highway West, in Yamhill County, consisting of 0.85 mile grading and paving; construction of a steel, concrete and treated timber bridge over the South Yamhill River, and the construction of concrete piers for a subway under the Southern Pacific Company's tracks. The low bid submitted was that of the Mountain States Construction Company, Eugene, at \$158,131.00. C. J. Montag & Sons, Portland, submitted the next low bid of \$169,259.50. There were six higher bidders. The Commission has awarded this contract to the low bidder, Mountain States Construction Company, at its bid price of \$158,131.00."

A delegation from Oregon City, representing the Oregon City Chamber of Commerce and consisting of Walter Buse, Ed May, Tom Humphrey, and Bernard Schoenburg, County Commissioner, came before the Commission in the interests of the following projects: Completion of the East Portland-Oregon City Highway through the city of Oregon City; construction of a connection between 82nd Street and the East Portland-Oregon City Highway through the town of Gladstone; construction of an underpass under the East Portland-Oregon City Highway at Abernethy Creek Bridge, for use of logging traffic; designation and construction, as a secondary state highway, of a road or route extending from the town of West Linn westerly through a place known as Stafford to a connection with the Pacific Highway West, near the town of Sherwood; designation as a secondary state highway of a road or route extending from Oregon City easterly to a connection with the Mount Hood Highway, near the town of Sandy, which road, together with the proposed road between West Linn and Sherwood, would give a convenient and much desired route of travel for people desiring to go to the beaches.

Mr. Humphrey also brought up for discussion the matter of permitting the dumping of logs along the waterfront in Oregon City, and inquired whether or not the Commission proposes to permit such operations in their town. Chairman Cabell advised that he has given this matter some study and is convinced that the dumping of logs at this location should not be allowed because

it would create a traffic hazard, would be unsightly, and would detract greatly from the scenic beauty of this highway through Oregon City. The State Highway Engineer suggested that there are plenty of good dumping places north of Oregon City which would not interfere with highway traffic and would not mar the picturesque features of the highway. He suggested the construction of a roadway under the highway at Abernethy Creek Bridge which would permit the hauling of logs across the highway without causing any interference whatsoever with highway traffic and added that if the Commission approves such roadway, it would be his plan to construct the same probably next year in conjunction with the construction of the north unit of the Oregon City project. He was instructed by the Commission to prepare estimates of costs for the construction of such roadway for the Commission's information in determining whether or not to authorize the same. He was also instructed by the Commission to ascertain definitely where the logs are coming from and about how long the hauling operations will continue at this point.

A delegation from Yamhill County, representing the Amity Community Club and consisting of the following members of that organization, and others, came before the Commission and asked for the improvement of the Hopewell Secondary Highway, No. 153, which extends easterly from Amity to a connection with the Salem-Dayton Secondary Highway, and for the extension of said secondary highway to the Wheatland Ferry: County Judge Wm. O. Powell; H. J. Jensen, Secretary of the Amity Community Club; H. W. Torbet; Morton Tompkins; and about twenty others. Judge Powell headed the group.

He asked particularly for the grading and oiling of the entire secondary highway from Amity to Stephens Corner, and, if the Commission does not have funds to do such work this year, that it authorize the smoothing-up of the present road, which is very rough, and the elimination of two curves about 5 miles east of Amity. Judge Powell presented a brief in support of his oral arguments, which was signed by 24 residents of Amity and vicinity who are interested in the improvement of this road. He also presented a letter from the Yamhill County Court endorsing the project. The Commission referred this matter to the Engineer for investigation and report.

The Commission had under consideration the matter of granting temporary permission to the West Coast Power Company to construct two crossings of their power wire over the Oregon Coast Highway near Otter Crest. It appears that the existing line of the power company is on the east side of the highway, but it is necessary that the company rebuild a portion of it where it interferes with operations of a state quarry, and the most convenient way to take care of the matter is to rebuild the pole line on the west side of the highway for a short distance, necessitating two crossings of the highway and the building of the pole line on the ocean side of the highway, which is contrary to the established policy of the Commission. The Landscape Engineer, who was present, recommended the crossings and the building of the pole line on the west side of the highway as a temporary expedient pending completion of operations in the quarry or until the highway has been reconstructed on new alignment, as is now planned. The Commission approved the recommendation by unanimous vote and so ordered.

The Commission also had under consideration the application of the Waldport Telephone Company to place a short section of its wires on poles through the state park at the north end of the Alsea Bay Bridge rather than in conduit, as is called for in their permit. The Landscape Engineer stated that he has inspected the premises very thoroughly and is of the opinion that the type of construction proposed by the telephone company is entirely satisfactory inasmuch as it will not detract in the least from the landscaping work at the end of the bridge; and, on the other hand, will relieve the company from the payment of some \$200 or \$300 to place the line in conduit across this short section. In view of the Engineer's report, the Commission approved the request by unanimous vote.

The Landscape Engineer reported briefly on the status of the Condon and Birdseye Spring landscaping projects. He was instructed to rush these projects to completion as rapidly as possible and if there is any difficulty in securing the land needed for either project, then the land is to be acquired by condemnation.

Chairman Cabell brought up for discussion the matter of improving the alignment of the Mount Hood Highway at a place known as Orient, involving the elimination of a sharp curve where accidents frequently occur. The Commission instructed the Construction Department to make surveys immediately for a revision in the alignment at this place and also ordered the Right of Way Department to take options immediately for necessary right of way for the same. In the event that options cannot be secured within 30 days for the right of way, then condemnation proceedings are to be instituted to acquire the same. A report on the proposition is to be rendered to the Commission at the next meeting.

The Engineer requested authority to post certain bridges on the Gates-Niagara Section of the North Santiam Secondary Highway for maximum loads of 6 tons, in order to conform to the reduced load limit recently established by Marion County for bridges on the Niagara-Detroit Section of this road. The Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the North Santiam Secondary State Highway has been designated and declared to be and is a state highway and is being maintained by the State Highway Commission, pursuant to the laws of the State of Oregon, as a state highway;

AND WHEREAS, on the said state highway between the towns of Gates and Niagara there are located certain bridge structures which, in the judgment of the State Highway Commission, are incapable of safely carrying the traffic to which they are being subjected, and in order to protect said bridge structures against damage and injury and in order to safeguard traffic over said bridge structures it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said bridge structures and each of them and of the traffic which uses the said bridge structures that the maximum weights now permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has, after due investigation, determined and found, and it is the judgment of the Commission that the maximum gross loads which shall be permitted upon any single span of any of the said structures at any time shall be reduced and fixed as in this order provided;

NOW THEREFORE, the premises being in part as above stated and the State Highway Commission having as a result of due investigation found that the bridge structures above referred to and hereinafter designated are incapable of safely sustaining or supporting a total gross load in excess of that specified in the table given hereinbelow;

IT IS HEREBY ORDERED, that the total gross weight of combined load and vehicle which at any one time shall be permitted upon any single or individual span of the bridge structures hereinbelow designated shall not exceed the limits given and set forth hereinbelow. In computing the total weight of any single vehicle, the total gross weight of any trailer or trailers attached to said vehicle shall be considered as a component part of the total gross load and shall not be considered as a separate vehicle. This combined gross weight shall not exceed the limits given hereinbelow, to wit:

NORTH SANTIAM SECONDARY STATE HIGHWAY NO. 162

<u>Bridge No.</u>	<u>Description</u>	<u>Total Gross Weight</u>
162-30.10	1 - 13' timber span	6 tons
162-30.23	1 - 15' and 2 - 17' timber spans	6 tons
162-30.70	1 - 15' timber span	6 tons
162-31.33	3 - 16' timber spans	6 tons
162-31.38	1 - 68' timber truss	6 tons
162-31.71	3 - 11' timber spans	6 tons
162-32.91	1 - 17' timber span	6 tons

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Section 83 of Chapter 360, Oregon Laws 1931, Section 55-2707 Oregon Code 1935 Supplement, shall be in full force and effect from the eighth day of July, 1937, until rescinded, modified or revoked by order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named bridge structures, so that said notice can be readily seen and read, which notice shall state plainly the limitations and prohibitions of the traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the county clerk of each county in which said

highway is located, and that a certified copy of said order be furnished the Superintendent of the Department of State Police for his information.

The Engineer reported on the cost to construct a footpath along the Oregon-Washington Highway between Pendleton and Riverside Bridge; also, to construct a sidewalk on Riverside Bridge, as previously instructed by the Commission. He said that the footpath would cost about \$125, and to construct a sidewalk on the bridge would cost an additional \$900. The Commission approved the report and ordered it filed in the department records for consideration in next year's construction program.

The Engineer also reported the cost to construct a footpath along the Wallowa Lake Highway between La Grande and Island City, as had been requested by Union County Pomona Grange and numerous residents of that district who allege that under present conditions it is hazardous for school children and other pedestrians to use this road. He estimated that such footpath would cost about \$3,795. The Commission approved the report but deferred action thereon until next year.

The Engineer reported the results of investigations to determine whether or not additional right of way is needed through that portion of the town of Canyon City, Grant County, that was burned. He said that the burned section is only about two blocks long and through this distance the right of way is as wide as it is through the rest of the town; further, that reconstruction plans of Canyon City call for setting the building line 60 feet from the center of the highway in order to leave a street width between the building line and the highway; wherefore, the necessity for additional right of way through this town is not apparent at the present time. The Commission ordered the report filed.

Reconsideration was given by the Commission to the request of Shasta View Grange, Klamath Falls, for the establishment of a reduced speed limit on The Dalles-California Highway between the city limits of Klamath Falls and the junction with the Klamath Falls-Lakeview Highway; also, to the request of Senator E. L. Ross, Aloha, for a reduction in the speed limit for traffic passing through this town, which is located on the Tualatin Valley Highway near Beaverton, in Washington County. The Attorney advised that under certain conditions the Commission has the authority to regulate the speed of traffic on state highways, particularly where traffic passes through congested areas, but does not have authority to regulate speed at other locations. The Engineer recommended that reduced speed limits of 35 miles per hour be ordered along the sections now under consideration, provided investigation reveals that the Commission has legal authority to reduce the speed limit along such sections. The Commission ordered an investigation in each of these instances and the results thereof reported to the Attorney, who is to pass on the legal features. In the event the Attorney is satisfied that the Commission has legal authority to post these particular sections for reduced speed limits, then the Engineer is authorized and instructed to erect appropriate signs.

The Commission had under consideration a letter from Mr. C. C. Hockley, State Director for the Federal Emergency Administration of Public Works, advising that a recent change has been made in the rules and regulations covering federal grants in connection with P.W.A. projects, whereby the order that grants be based on 115 per cent of relief labor is definitely withdrawn, and while the new rules and regulations have not yet been issued, he expects them in the near future. The Commission took this letter to mean that the Public Works Administration has restored the old basis for grants and will contribute 45 per cent of the cost of materials and labor on P.W.A. projects, as heretofore. Accordingly, the Commission considered it advisable to revive its previous application for P.W.A. funds to finance certain projects, and authorized and instructed the Engineer to notify Mr. Hockley by letter that the Commission wishes to revive such application and wishes also to have modified in conformity with the new rules, its application for funds with which to finance the two building projects in Portland and Klamath Falls.

The Commission had under consideration the request of Mr. Elmer Bankus, Brookings, Oregon, for the removal of a small point from the Oregon Coast Highway, in the town of Brookings. Mr. Bankus alleges that this point interferes with sight distance along the highway and that in the interest of safety to the traveling public it should be removed. He suggested that now is a good time to do this, while the state's air compressor, which is engaged in other work on this highway, is still in this vicinity. He said that the point contains only a small amount of material, which he believed could be removed at small cost. The Engineer advised that this matter has been investigated and it is estimated that there are 500 cu. yds. of material to be removed, which would cost about \$625.00. He recommended the expenditure as a safety measure, in view of the fact that the state's compressor is now in this vicinity and the work could probably be done at less cost at this time than later on if the compressor had to be returned for this special job. The Commission approved the recommendation by unanimous vote.

The Engineer reported receipt of a letter from W. H. Lynch, District Engineer, Bureau of Public Roads, complaining of the unsatisfactory condition of the John Day Highway between Prairie City and Unity, in Grant and Baker Counties. He said that it is Mr. Lynch's idea, in view of the fact that the present road is unsatisfactory, that steps should be taken by the Commission to reinforce the present worn-out surfacing in the event the Commission's construction program will not permit a standard reconstruction project in the near future. He advised that this section of highway has failed badly each spring for the past several years and there is a period of approximately six weeks each year, when the frost is leaving the ground, that the road is practically impassable for heavy traffic, and even difficult for ordinary passenger cars; also, that the road is now being maintained in as good condition as possible under existing conditions, and to do a better job would require a certain amount of resurfacing. He pointed out that the present road is not on proper alignment, hence it would not be advisable to make a standard improvement, so he suggested that a contract be let this fall for placing about 1,000 cubic yards of surfacing material per mile on this section, which is 14½ miles in length, and to stockpile an additional 400 cubic yards per mile for maintenance purposes. He estimated that such work would

cost about \$60,000 and recommended this improvement, which, he said, would take care of the worst places. It was his thought that the Commission should bear this project in mind and endeavor to find funds to resurface the entire section within the next three years. After some discussion the Commission authorized the Engineer to prepare a \$60,000 project for advertising, in accordance with his suggestion.

The Engineer reported that while in Chicago on June 22 he discussed with the engineers who were meeting there at that time the matter of permitting telephone companies to maintain signs on the highway rights of way directing the general public to public telephone stations, and he ascertained that in many states it is customary to permit the telephone companies to do this. He recommended, therefore, that the telephone companies in Oregon be authorized to maintain their signs on Oregon highways. The Commission approved the recommendation by unanimous vote, subject to the condition that the signs shall be of uniform type and shall be placed in locations that are satisfactory to the State Highway Department.

A delegation from West Salem, consisting of Messrs. John Friesen, Mayor; E.C. Cook, City Attorney; Glen Adams; Mr. Litwiller, and Mr. Burns, was present and urged the Commission to acquire for park purposes the land which lies between the Salem-Dallas Highway and the Willamette River, in the town of West Salem. Mr. Cook headed the group. They gave as their idea that this area would make an ideal state park and that it should be acquired by the state for such purpose in order to keep it from being commercialized. Mr. Cook advised that the area contains several acres and is owned by a number of private interests and that a portion of it, containing about 14 acres, can be purchased for \$35,000. He also said that the city of West Salem is unable financially to handle the proposition.

Chairman Cabell advised that the primary purpose for the highway funds is to finance highway construction; and, while the law authorizes the Commission to acquire park and recreational areas, the Commission feels that its expenditures for such purpose should be limited, and accordingly has provided in its budget only \$100,000 to cover both purchase and maintenance of parks, most of which is needed to maintain and develop existing parks, leaving only a small portion for the purchase of new sites. He further explained that the Commission feels that its purchases of recreational areas should be confined to the rural districts and that the purchase of tracts located in or near cities is a local obligation. He added that he is familiar with the West Salem tract and appreciates the fact that it would be desirable to preserve it for park and recreational purposes but he did not see how the Commission could assume the responsibility of acquiring it, in view of its proximity to Salem and West Salem. Furthermore, he did not see how the Commission could assume the responsibility of acquiring any recreational area located near a municipality, because, if the Commission started out on a program of that kind, it would have to acquire many tracts throughout the state similarly located, which would require funds far in excess of what the Commission has to spend for such purpose. Commissioners Aldrich and Tou Velle concurred in Mr. Cabell's remarks.

Mr. Jay Bowerman, Attorney, Portland, came before the Commission in the interests of Safeway Stores, Inc., which has destroyed certain trees and shrubs along the Pacific Highway West, near the junction of the Capitol Hill Road, in Multnomah County, in connection with the development of its property and construction of a store building at this location. He said that the company regrets that it took too much for granted in destroying these trees and shrubs and is willing to make restitution by cooperating with the Commission in landscaping the area in front of its premises if the Commission will advise just what it wants done.

The State Highway Engineer suggested the following plan: That the company complete the grading work in front of its property; construct an island on the highway right of way and plant trees and shrubs thereon, in accordance with plans furnished by the Highway Department's Landscape Engineer, said island to be constructed near the right of way line, leaving a roadway wide enough for one-way traffic between the island and the right of way limit for use of people who desire to transact business in the company's store; that the company maintain the plantings for a year or two until the plants have become fully established; and that the company also construct parking space for cars entirely off the highway on its own private property, adjacent to its store building, for the use of its customers.

Mr. Bowerman said that the plan appeared satisfactory to him and that he would take the matter up with the company officials for final decision. The Landscape Engineer was thereupon instructed to prepare plans for the project and submit same to the company officials for acceptance. He was also instructed to prepare a form of agreement covering the matter, for execution by the company. If the plans and agreement are approved by the company officials, they are then to be presented to Chairman Cabell, who was authorized to pass on the same on behalf of the Commission.

Dr. Charles E. Dodge, Portland, came before the Commission and requested the construction of an approach roadway to the Oregon Coast Highway from certain streets in a platted area near Arch Cape Tunnel. He said that on account of the fact that the new highway had been constructed on a 15-foot fill across this subdivision, people owning property there do not have means of access to the same from the highway, and they believe that they are entitled to at least one approach. The matter was referred to the Engineer for investigation and report. However, Dr. Dodge was informed that, unless the Engineer can recommend to the Commission that the construction of such roadway is the logical thing to do, and that the Commission is responsible for the construction of such roadway, then it will be necessary to deny his request.

Mr. John Logan, President of the Consolidated Highway Company, Inc., highway contractors, and Mr. L. E. Latourette, executor of the D. C. Latourette Estate which has been financing the company's activities, came before the Commission in regard to matters pertaining to the company's contracts with the Commission, pursuant to the Commission's request. Mr. Latourette stated that the D. C. Latourette Estate is now involved to the extent of about \$60,000 in connection with the financing of the Consolidated Highway Company's contracts and that they no longer can assist in financing these jobs.

The State Highway Engineer advised Mr. Logan that the Commission has bona fide information to the effect that his company is paying labor and material claims in an irregular manner and not in compliance with the terms and provisions of the contracts. Furthermore, that the company requires its employees to purchase life insurance in order to hold their jobs, the premiums for the same being deducted from amounts due the employees for services rendered. He presented affidavits supporting his remarks and asked Mr. Logan for an explanation.

Mr. Logan stated that his company is having financial difficulties due to the death of Mr. D. C. Latourette, who was advancing the funds to finance their work, but they have now arranged to secure funds from the First National Bank of Oregon City to carry on and complete their jobs and that they will discontinue the issuance of so-called warrants in payment of claims incurred against their work and will pay these items direct, either in cash or by check. He also explained that the requirement that the company's employees purchase life insurance in order to hold their jobs was something that he knew nothing about until recently and that as soon as it came to his knowledge the man responsible for the practice was discharged from the employ of the company and the requirement immediately discontinued.

The State Highway Engineer asked Mr. Logan if he has completed financial arrangements so that the company can make immediate payment for all labor and material, including obligations heretofore unsatisfied. Mr. Logan replied in the affirmative. He added that the United States Fidelity & Guaranty Company, which wrote the bonds in connection with their projects, has approved the method of financing and is now completing the papers whereby all payments due or to become due the company are to be assigned to the First National Bank of Oregon City, which has branches throughout the state, and it is the intention of the company to carry accounts in the banks located in the vicinity of their work so that checks issued by the company in payment of labor and material may be cashed at once.

The State Highway Engineer then made the following recommendation: that the company be allowed to proceed with its projects with the strict understanding that it shall arrange to finance the same at once and shall pay at once, with negotiable checks, all claims outstanding for labor and material and other expense and shall pay all future accounts as they become due also with negotiable checks. He requested authority from the Commission to notify the United States Fidelity & Guaranty Company of the full facts surrounding the irregularities of the company and to inform the surety that the Commission is allowing the contractor to proceed with the work under its several contracts, provided a satisfactory showing is made by the company and the surety that the work will be carried on in strict compliance with the provisions of the contract and assurance by them that all claims now due are to be paid at once and that future claims are to be paid when they are due; otherwise, the Commission will turn these projects over to the surety company to complete under the clause in the contract which provides for such procedure. The Commission approved the Engineer's recommendation and request by unanimous vote.

Chairman Cabell informed Mr. Logan that the Commission is accepting the Engineer's recommendation with the understanding that hereafter the

Consolidated Highway Company, Inc., must carry on its work in strict compliance with the provisions of the contract. Otherwise, the Commission will close down the work and will disqualify the company from doing further work for the Commission.

The Engineer requested authority to acquire certain parcels of real property that are needed for highway improvements throughout the state. He submitted a list of such properties, together with the prices that he recommended be paid for each. After careful study of the list the Commission approved the Engineer's request and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Island City-Cove Section - Cove Highway</u>				
4691-Conley, Sarah	R/W	0.51	\$100 per a. plus \$40	Wells
4692-Miller, Matilda A.	"	0.61	\$100 per a. plus \$80.50	"
4686-Conley, J. F.	"	0.85	\$100 per a. plus \$149.50	"
4695-Beem, J.T. et al.	"	0.12	\$100 per a. plus \$19.50	"
4687-Hill, Henry T. et al.	"	0.24	\$100 per a. plus \$39.00	"
<u>Albee-Ukiah Section - Pendleton-John Day Highway</u>				
4620-Schmidt, Peter H.	R/W	0.69	\$15 per a. plus \$160	Wells
<u>Bellevue-Amity Section - Bellevue-Hopewell Highway</u>				
4807-Kinsfather, Daniel A.	R/W	0.08	\$50.00 Lump Sum	Collins

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Youngs Bay-Lewis &amp; Clark River Section - Oregon Coast Highway</u>				
4788-Peterson, Elman et al	R/W	3800 sq.ft.	\$100 Lump Sum	Benson
<u>Jackson County Section - Tiller-Trail Highway</u>				
4802-Warner, Fred J.	R/W	4.47	\$15 per a. plus \$77	Benson
4804-Oliver, Walter David	"	0.44	\$15 per a.	"
4801-Cushman, Wm. E.	"	7.61	\$15 per a. less credit for approximately 5.96 a. at \$10 per a.	"
<u>Hebo-Junction Section - Oregon Coast Highway</u>				
5989-Shrode, Minnie M.	R/W	385 sq.ft.	\$200 Lump Sum	Benson
<u>Eagle Point Section - Little Butte Highway</u>				
4798-Campbell, Frances	Road Easement (hauling)	0.03	Gratis	Benson
			2-yr Hauling Road Easement plus fence gate	
<u>Cook Overcrossing Section - West Portland-Hubbard Highway</u>				
4800-Roeschen, Charles, Jr.	Waiver of access to highway		Gratis	Parker
4092-Erickson, Hanna Nelson	R/W	1.315	\$250 per a. plus \$100.40 and waiver of access	"
4090-Schiewe, Edna	"	1.186	\$250 per a. plus \$142.00 and waiver of access	"
4087-Harrison, John D.	"	0.38	\$250 per a. plus \$14.00 and waiver of access	"
4630-Lacey, Wm. R.	"	3470 sq.ft.	\$150 Lump Sum	"
4634-Robinson, Doris F.	"	1 block	\$500 Lump Sum	"
4635-Schodde, Marie	"	7745 sq.ft.	\$465 Lump Sum	"
<u>Oregon City Section - East Portland-Oregon City Highway</u>				
3049-Brady, E. A.	R/W	6585 sq.ft.	30¢ sq.ft. plus \$9790.50	Parker
<u>Valley Falls-White Rock Section - Fremont Highway</u>				
4678-State Land Board	Stock Pile	1.56	\$25 Lump Sum	McCallister
<u>Toledo-Olalla Creek Section - Corvallis-Newport Highway</u>				
4017-Robinson, Kate	R/W	1.68	\$100 per a.	"
4868-Hackett, Ernest	"	0.86	\$100 per a. plus \$30	"
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
4465-Olson, Alfred	R/W and Slope Easement	3200 sq.ft. at 5¢ sq.ft.	"	
		8900 sq.ft. 5700 sq.ft. at 3¢ sq.ft.	"	
4446-Perry, Orville J.	R/W	2250 sq.ft.	10¢ sq.ft. plus moving and rearranging buildings	"
4434-Gallagher, Merle	R/W and Slope Easement	2000 sq.ft.	5¢ sq.ft. plus \$90 plus moving buildings	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Siletz Bay-Newport Section - Oregon Coast Highway (continued)</u>				
4430-Porter, A. R.	R/W and Slope Easement	750 sq.ft. 10¢ sq.ft.	McCallister	
4433-Fry, C. H.	"	3000 sq.ft. 1000 sq.ft. at 10¢ sq.ft.	"	
		2000 sq.ft. at 5¢ sq.ft.	"	
4466-Spiess, Joe J.	"	3200 sq.ft. \$160 (at 5¢ sq.ft.)	"	
4381-Lincoln County	R/W	1223 sq.ft.	Gratis	"
4428-City of Newport	"	119 sq.ft.	Gratis	"
<u>McMinnville-Rickreall Section - Pacific Highway West</u>				
4753-Pedersen, Jens N.	R/W	0.565	\$150 per a. plus \$192	McChesney
4754-Roswell, H. C.	"	0.466	\$150 per a. plus \$66	"
4751-Madden, Walter	"	0.47	\$150 per a. plus \$281.50	"
4752-Jones, George W.	"	0.80	\$150 per a. plus \$255.00	"
4755-Wicks, Harry A. et al	"	0.28	\$150 per a. plus \$108.00	"
<u>Klamath Falls-Lakeview Section - Klamath Falls-Lakeview Highway</u>				
4723-Schmidt, H. E.	R/W	0.72	\$20 per a. plus \$10.60	McChesney
4721-Read, Joel P.	"	0.70	\$20 per a. plus \$11.00	"
4720-Bartsch, Hans et al	"	0.71	\$20 per a. plus \$10.80	"
<u>Multnomah County Line-Middleton Section - Pacific Highway West</u>				
4641-Thomas, A. J.	R/W	0.089	\$500 per a. plus \$138	McChesney
<u>Bear Creek-Talent Section - Pacific Highway</u>				
4553-Morgan, W. P.	R/W	1.75	\$200 per a. \$150	Gardiner
4565-Stoddard, G. T.	"	2.52	\$3000 Lump Sum	"
<u>Wapinitia Highway</u>				
3542-Miller, Belle M.	Stock Pile	1.5	\$100 Lump Sum	Gardiner
<u>The Dalles-Boyd Section - The Dalles-Boyd Highway</u>				
2882-Benson, Fannie	Quarry and Hauling Road	1.25	\$50 Lump Sum plus fencing	Bentley
<u>Stanfield-Pendleton Section - Old Oregon Trail Highway</u>				
4339-Barth, William et al	Quarry	5.86	\$85.32 per a. less \$80 for fencing	DeSouza
<u>Redmond-Bend Section - The Dalles-California Highway</u>				
2510-Deschutes County	R/W	1 lot	\$15 Lump Sum	DeSouza
<u>Wasco-Moro Section - Sherman Highway</u>				
4346-Lamborn, George M.	Stock Pile	Lease	\$40 Lump Sum	DeSouza
<u>Bunker Hill Section - Oregon Coast Highway</u>				
4680-Coos County	R/W for exchange	10 lots	Gratis-portion not so used to be deeded back	DeSouza

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>North Salem Section - Pacific Highway</u>				
4489-Osborne, Viola O. Ditch Easement		0.021	\$51.50 Lump Sum	DeSouza
<u>St. Helens Section - Lower Columbia River Highway</u>				
3809-Columbia County	R/W	2 lots	\$14.00 Lump Sum	DeSouza
<u>Tiller-Trail Section - Tiller-Trail Highway</u>				
4682+3-Dwinnell, Stanley W.	R/W	6.82*	\$198.50 Lump Sum *4.80 a. to be acquired *2.02 a. for easement	DeSouza
<u>Mystic Creek-Powers Road Section - Coos Bay-Roseburg Highway</u>				
4627-Middle Fork Boom Co.	Stock Pile	0.77	\$125 Lump Sum	Gardiner
<u>Junction of Bend-Sisters Highway and The Dalles-California Highway</u>				
4745-Forbes, P. L.	R/W	2.8	\$225 Lump Sum	Chandler
<u>Multnomah Falls-Warrendale Section - Columbia River Highway</u>				
1357-State Land Board	R/W	6.3	\$5.00 per a.	Schannepp

The Commission had under consideration the claim of Frank F. Reiner, Portland, for extra compensation for land that he sold to the Commission for right of way for the East Portland-Oregon City Highway, in Portland. Mr. Reiner alleges that his property has been severely damaged by reason of the construction of this highway and that the grade of the street was changed so that his property is now several feet below the grade of the new road and that the construction of the Union Avenue Overcrossing by the state has blocked Stephens Street, on which his property faces, so that it is now a dead-end street and is no longer available to him. He claimed damages in the amount of \$2,500.

The Attorney advised that it is true that the east end of Stephens Street was closed at Union Avenue by construction of the new highway, but this matter was fully discussed with the owners of the adjacent property prior to the construction of the highway, and they were apparently satisfied at that time because their only request was that an opening be left through the curbing so that they might enter their place of business through a large door facing on Union Avenue, which opening was provided. He further stated that officials of the Phoenix Iron Works, which is represented by Mr. Reiner, told him at that time that the company intended to build a ramp from the new street level to the foundry floor, which is only about 3 feet below the new street level, and that it was the intention of the company to erect a new building on this block, the old one being a wooden structure seldom used, and that the new building would be constructed at an elevation to conform to the new street level. In other words, the company at that time was perfectly satisfied with the settlement offered, and, in his estimation, the Commission is not justified now in paying them any more for land or damages. In view of the Attorney's explanation, the Commission voted unanimously to deny the claim and ordered that Mr. Reiner be so informed.

Reconsideration was given by the Commission to the matter of purchase of right of way for the Talent-Bear Creek Section of the Pacific Highway, in Jackson County, across a tract of land which has been leased by the Oregon State College Experiment Station on which to conduct experiments in orchard plantings. The Engineer advised that an examination of the ground indicates that the additional right of way is absolutely required but that it would not be necessary to remove all of the pear trees that are now growing thereon. The Attorney advised that the local representative of the Experiment Station will not recede from his previous demands for the payment of \$500 for the use of this strip for highway purposes. After discussion the Commission instructed the Attorney to contact Wm. A. Schoenfeld, Director of the Experiment Station at Corvallis, relative thereto.

The Attorney rendered a brief report on the value of the Olive M. Lee property near Rocky Creek, in Lincoln County, a portion of which is needed for right of way for revision of the Siletz Bay-Newport Section of the Oregon Coast Highway. He said that the grantors own about 50 acres of land, of which about 20 acres will be required for right of way. He estimated the value of the right of way at \$100 per acre, or \$2,000 for the 20 acres. In this connection, he read a letter from Ed. W. Miller, Manager of the Oregon Coast Highway Association, stating that, in his estimation, the land is worth considerably more than \$100 per acre and predicting that the owners will not settle on such basis and that it will be necessary for the Commission to condemn the property if it is unwilling to pay what the owners demand, which is approximately \$15,000 for the entire 50 acres. After discussion, the Commission decided to limit its purchase to right of way only and authorized the Attorney to negotiate with the owners for the purchase of such portion at the rate of \$100 per acre and to condemn the property in the event the owners will not settle on such basis. The Engineer was instructed to furnish the Attorney at once with descriptions and a map showing the property desired.

The acquisition of county-owned land adjacent to Barbur Boulevard, Portland, had the attention of the Commission. It appears that when Multnomah County acquired the right of way for this highway, in numerous instances it was necessary to acquire the entire holdings of certain property owners, notwithstanding the fact that all of such properties was not needed. It now appears that the county has sold several of these parcels to private parties and plans to sell the remaining tracts insofar as they lie outside of the standard-width highway right of way, which is objectionable from the standpoint of the state, which prefers that the land adjacent to the highway be not commercialized, if that can be avoided.

The State Highway Engineer recommended that the state acquire these parcels from the county, if possible, and that he be authorized to assign someone to contact the Board of County Commissioners in regard thereto. Further, that, if necessary, this representative of the Highway Department be authorized to tell the Board of County Commissioners that the State Highway Commission will landscape these parcels if the county will deed them to the state; and, if the county will not convey them to the state, that it be requested at least to discontinue the sale of additional parcels so as to

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eliminate any possibility of the erection of service stations, hot dog stands, et cetera, on them, thereby detracting from the appearance of the highway. The Commission approved the Engineer's recommendation and request by unanimous vote.

The Commission had under consideration the matter of rerouting the Oregon Coast Highway along Astor Street in the city of Astoria. The question arose as to whether or not it would be advisable to route the highway on this street, in view of the fact that it would still contain several right-angle turns at the northerly end, which could not be avoided without going to considerable expense in moving some buildings which have been constructed on a permanent basis. It was brought out in the discussion that the Commission at one time told the city authorities that the Commission would route the highway on Astor Street and construct such route if the city would furnish the right of way and would remove all but two of the buildings located thereon, one of which is a warehouse. It was also brought out that at a previous meeting City Manager James O. Convill reported that the city has complied with its part of the agreement and is now ready for the Commission to remove the other two buildings, a portion of the cost of which would be paid by the Columbia River Packers' Association, if the Commission would move them now before the warehouse had to be used for the storing of salmon. After discussion, the Engineer was instructed by the Commission to submit to the Commission at its next meeting a plan for the rerouting of the highway on Astor Street. The Attorney was instructed to secure prices from several house-moving contractors for the removal of the buildings, and report them to the Commission at the same meeting, when a decision will be rendered.

The Commission also discussed the matter of purchase of right of way from the Ponderosa Moulding Company for the proposed new highway along the south side of the O. W. R. & N. tracks in North Portland, being a proposed extension of East Lombard Street, to eliminate several railroad crossings on the present street, known as Columbia Boulevard. The Attorney advised that the Ponderosa Moulding Company property is located on the west side of 27th Avenue, just south of the O. W. R. & N. Company's railroad, and that an attractive offer has been made by the company for right of way across the same. He recommended settlement with the company at once on the basis of its offer. The State Highway Engineer concurred in the recommendation. After discussion, the Commission authorized the Attorney to secure an option for this parcel and for other parcels in this vicinity that are needed for the same purpose, provided the prices asked for the same are reasonable. He was also instructed to assign a right of way agent to this project at once and to submit the options to the Commission as soon as possible, for final approval.

The Attorney brought to the attention of the Commission the fact that property owners are still challenging the Commission's control of the area between the high- and low-water mark of the Columbia River along the route of the proposed new highway, and suggested that possibly litigation will be necessary to determine the Commission's authority. The Commission authorized the Attorney to take such steps and adopt such procedure as may be necessary to have a competent court pass upon the Commission's jurisdiction and authority in the premises.

The Commission discussed the matter of acquiring right of way for the proposed improvement of the intersection of the Crater Lake Highway with Main Street, in the city of Medford. It was brought out in the discussion that the Right of Way Department is having some trouble with the property owners, and probabilities are that the Commission will have to institute condemnation proceedings to acquire the needed land for this improvement. The Commission authorized such proceedings in the event the land cannot be acquired otherwise.

The Attorney brought up for discussion the matter of fishing rights along the Columbia River, near Corbett. He said that certain people who make their living by fishing in this river and who have had fishing privileges for many years, have inquired whether or not they will continue to enjoy such privilege and be permitted to moor their boats in the customary manner and locations when the new highway has been constructed. He said that there are eighteen families living in the town of Corbett who are concerned, and this question always arises when negotiations are being carried on for right of way and for freeways. He further advised that these people have an agreement with the Bridal Veil Timber Company, giving them certain privileges in front of the Corbett Estate property, which the lumber company has under lease, and the only way that they will consider signing an agreement for right of way is that the State Highway Commission will recognize the provisions of this agreement. The Attorney also mentioned that the Bridal Veil Timber Company does not recognize the state's claim to the land lying between the high- and low-water mark of the Columbia River and proposes to proceed with its plans for the construction of a log-booming ground for a considerable distance in front of the Corbett Estate property, regardless of the fact that a considerable portion of such booming ground is included within the area owned by the state and under the control of the State Highway Commission. After considerable discussion the Commission authorized the Attorney to take necessary steps to enjoin the company from occupying the state's land. Chairman Cabell was authorized to contact the Bridal Veil Timber Company officials and advise them of the stand that the Commission will be forced to take in the event that the state's rights to the area in question are not recognized and respected.

In this connection the Attorney advised that Mr. Corbett, representing the Corbett estate, has made inquiry as to whether or not the Commission intends to prohibit him from maintaining a boat landing in front of his premises. The Commission indicated that it would approve the maintenance of such boat landings in certain locations, and accordingly instructed the Engineer to investigate and determine the proper locations for such mooring points.

He was also instructed to investigate proper locations for cross-roads, to permit people to cross from the south side of the highway to the river front on the north side of the highway, it being the intention of the Commission to construct this highway as a high-speed road with only a limited number of road crossings. A report on this subject is to be rendered by the Engineer at the earliest possible time in order to expedite the location of crossing sites and boat moorings so that this information may be used in connection with future right of way negotiations.

The Commission authorized Chairman Henry F. Cabell, State Highway Engineer R. H. Baldock, and Bridge Engineer Glen S. Paxson to attend the annual meeting of the Western Association of State Highway Officials in Denver, Colorado, from July 21 to 23, inclusive. The Commission also authorized Maintenance Engineer J. N. Bishop and Construction Engineer H. G. Smith to attend the third annual meeting of the Montana Bituminous Conference which is to be held in Glacier National Park, Montana, September 7, 8 and 9; and also authorized Traffic Engineer John Beakey to attend the annual meeting of the National Safety Council which is to be held in Kansas City, Missouri, from October 10 to 15. These trips are to be made at state expense subject to approval by Governor Martin.

The Commission considered and denied the request of George Lammers to move a building along the Pacific Highway (old route) for about one thousand feet, in the city of Roseburg, it being the opinion of the Commission that it would be possible for Mr. Lammers to move this building along the new highway which is not yet open for general public use.

The Commission by unanimous vote approved the purchase of an ammonia machine at a cost of \$450 for use in the State Highway Department laboratory, same having been recommended by the Engineer.

The Commission also approved by unanimous vote the purchase of 2,600 cubic yards of rock material from the Island City Concrete Pipe Company, at the rate of 70¢ per cubic yard, for use in connection with maintenance operations, said price to include consideration for a five-year lease on the site on which the material is now stockpiled.

The Engineer requested authority to construct two houses at the Pistol River Maintenance Headquarters in Curry County for use as residences for the section foreman and his helper located at that place. He explained that the present section foreman is a bachelor who lives in a small shack in a tourist camp near the section headquarters; that it will be necessary in the near future to change the foreman; and, due to the fact that housing facilities are at a premium, it will be practically impossible to transfer a married man to this section. It, therefore, would seem advisable for the state to provide housing accommodations for this man and his helper, as has been done in other isolated parts of the state. He further explained that he plans, if the Commission approves the project, to rent these buildings to the employees at a monthly rental rate of one-half of one per cent of the cost of the houses, which he estimated at \$3,500. After discussion the Commission approved the Engineer's request and authorized him to proceed with the construction of such buildings.

The Commission also approved the construction of an addition to the La Grande division office for the use of the Department of State Police. This addition is to consist of one room with outside entrance and concrete sidewalk. The estimated cost of the same is \$1,910.00.

The Commission considered and by unanimous vote approved the following letter directed by Chairman Cabell to Mr. Robert W. Sawyer, relating to the construction of a state highway office building:

Portland, Oregon  
June 30, 1937

Mr. Robert W. Sawyer  
Arlington Club  
Portland, Oregon

My dear Judge Sawyer:

Responding to your communication of June 28, advise that subsequent to the meeting between you and the Highway Commissioners at my house on the evening of June 2, the question of a highway building was further discussed.

It was decided that there were insufficient highway revenues in proportion to obligations at the present time to justify any serious consideration of the erection of a highway building now. The Commission was not in favor of paying a portion of the cost of the construction of a general office building. It would consider the construction of a separate wing of a future larger building, which wing would be devoted exclusively to the Highway Department.

Action on your suggestion that the Highway Commission act jointly with the Capitol Reconstruction Commission in the development of studies toward the location of a group of capitol buildings which would harmonize was deferred pending the receipt of a written communication from the Capitol Reconstruction Commission outlining definite plans in relation thereto. The Commission indicated that it favored such studies.

The Commission inspected the proposed site on the east side of Summer Street and has no objection to the selection of the east side of the street for the site of the proposed highway building.

The State Highway Commission will be glad to confer with your Commission at any time in the future.

Very truly yours,

Henry F. Cabell (signed)  
Chairman

The Attorney reported receipt of a complaint that the condition of the rest rooms in Bradley Park is very unsanitary. The matter was referred to the Parks Superintendent with instructions to have the caretaker remedy the conditions immediately.

The Secretary presented a resolution from the County Court of Malheur County requesting the designation as a secondary state highway of a 5.2 mile section of the county road which extends westerly from the town of Jordan Valley. It appeared to the Commission that this designation is in line with the Commission's ideas with respect to the readjustment of secondary state highways in Malheur County, whereupon the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Malheur County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Malheur County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Hooker Creek-Jordan Valley Secondary Highway No. 458,  
West Section:

Beginning in the Town of Jordan Valley; thence extending westerly to a point near the southwest corner of Section 31, T. 29 S., R. 46 E., W.M., a distance of approximately 5.2 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

A letter was presented from County Judge Hugh McLain, Coos County, requesting the Highway Commission to repair at county expense the county road

which leads from Marshfield into the Inglewood District, which road, he alleges, is in very bad condition and is unsafe for travel over fifteen miles per hour. The Engineer advised that the road in question is the one that the Highway Department oiled last year at county expense. He recommended, in view thereof, that Judge McLain's request be approved provided the county will advance the estimated cost of the work. The Commission approved the recommendation by unanimous vote.

The Commission considered a request from Mr. B. L. Bradley, Salem, for permission to operate a portable telescope on the ocean beach for commercial purposes. The Commission deferred action on this matter pending recommendation from the State Parks Superintendent.

A letter was presented from Mr. E. H. Ford, Mayor of the town of Reedsport, requesting the services of the Highway Department engineers in surveying and laying out curb lines so that the city can proceed with the construction of concrete curbs along the state highway route in this town at such time as it has funds available to finance the same. The Commission approved the request by unanimous vote, subject to the condition that such engineering work shall not be performed until the city is ready to proceed with construction.

A letter was presented from A. S. May, City Recorder, Rainier, requesting in behalf of the city council the oiling of strips between the highway pavement and curb lines for a distance of two blocks through the business district of Rainier. The Engineer estimated that this would cost about \$500 and recommended the expenditure. The Commission approved the recommendation by unanimous vote.

The Commission considered and ordered filed a letter from the North Lincoln Lions Club, Oceanlake, Oregon, suggesting that the Commission find some means to definitely curb the destruction of scenic beauty along state highways.

The Commission also considered and ordered acknowledged with thanks a letter from the John Day Lions Club expressing appreciation for highway improvements undertaken by the Commission this year in the vicinity of John Day.

The Commission considered and approved the application of Mr. Ed Schaefer, Eugene, to transport, on truck and trailer, from Eugene to Florence, an auxiliary schooner with dimensions as follows, when loaded: overall height, 11 ft. 8 in.; overall width, 11 ft.; overall length, 34 ft. Such privilege was granted to Mr. Schaefer on the condition that he would furnish to the state public liability insurance in the amount of \$50,000/\$100,000 and property damage insurance in the amount of \$10,000 for the protection of the State of Oregon and members of the State Highway Commission in the event that an accident occurs by reason of the said movement; and provided, further, that the movement be properly flagged as an additional safeguard against accident.

The Engineer reported that difficulties have been encountered in connection with the construction of the Arch Cape tunnel and there is a possibility

that it will be necessary to construct the southerly end of the tunnel as a open cut provided further inspection reveals it inadvisable or impracticable to construct it as originally planned. He suggested, in view of the circumstances and the apparent need for quick action, that Chairman Cabell be authorized to approve or disapprove his recommendation in regard to the project when the results of the inspection have been brought to his attention. After discussion the Commission by unanimous vote authorized Chairman Cabell to pass on this matter.

The Commission had under consideration the matter of approval of surveys ordered by the Engineer subsequent to the last meeting. A list of such surveys was presented and discussed. Commissioner Aldrich moved that the State Highway Engineer be authorized and instructed to make location surveys on various sections of the highways of this state, which said sections of said highways, together with their identification survey numbers and the amounts authorized and allocated for survey expenditures are as follows:

- Location #2-2809 - Harrison Street-N. City Limits (Corvallis) Pacific Highway West, Benton County - 1st authorization \$528.00.
- Location #12-2803 - John Day-Prairie City Section of the John Day Highway in Grant County - 3rd authorization \$500 - Total authorization \$2,750.00.
- Location #12-2810 - Dad's Creek Bridge, John Day Highway in Grant County, 1st authorization \$500.00.
- Location #15-2817 - Siskiyou-State Line Section of the Pacific Highway in Jackson County - 2nd authorization \$1750.00 - Total authorization \$3,650.00.
- Right of Way #20-1909 - Lincoln County Line-Florence Section of the Oregon Coast Highway in Lane County - 1st authorization \$860.00.
- Right of Way #20-1910 - Glenada-Douglas County Line Section of the Oregon Coast Highway in Lane County - 1st authorization \$370.00.
- Stock Pile - #20-2823 - Glenada -Lane County Line Section of the Oregon Coast Highway in Lane County - 1st authorization \$65.00.
- Tractive Resistance #64-5504 - State-wide - 1st authorization \$3,000.00
- Reconnaissance - #204-28 - Saddle Mountain Park Road - 1st authorization \$250.00
- Reconnaissance #121-2814 - Siletz-Toledo Section of the Siletz Secondary Highway in Lincoln County - 1st authorization \$800.00

The motion was duly seconded by Commissioner Tou Velle and was declared by Chairman Cabell to have carried by the unanimous vote of the Commission.

The Commission considered the following requests for extensions of time within which to complete highway construction projects:

Arthur A. Hardesty, Contract No. 1807, for the furnishing of crushed rock in stock pile for the Elgin-Rock Creek Section of the Wallowa Lake Highway, in Union and Wallowa Counties, requested an additional extension of time, from April 30, 1937, to May 29, 1937, within which to complete this project. The Engineer stated that the only reason that Mr. Hardesty could have for failure to complete the project within the specified time limit was lack of suitable equipment on the job. He advised that the state has not been unduly inconvenienced by reason of the delay because sufficient rock was produced for immediate needs and the material that was produced after the expiration date specified in the contract was for future maintenance requirements. He recommended, in view of the circumstances and the fact that the extra engineering costs on the project did not amount to very much, that the extension requested by the contractor be granted without penalty. The Commission approved the recommendation by unanimous vote.

Parker-Schram Company, contract No. 1854, for construction of the Southern Pacific Undercrossing on the Pacific Highway, in Oregon City, Clackamas County, requested an extension of time, from May 31 to June 25, 1937, in which to complete this contract. They gave the following reasons for failure to complete the project within the time limit specified: that the division engineer suspended their operations early in April due to continuous, extremely heavy rain and the resulting soft condition of the subgrade, and due also to extensive changes in sewer grade lines that were not originally anticipated. They alleged that every effort was made to expedite the completion of this project and gave as their thought that, had they not been ordered to suspend operations, the work would have been completed within the specified time limit. They asked the Commission to grant the extension without penalty in view of the fact that the delays encountered resulted from causes beyond their control and for which they were in no wise responsible. The Engineer advised that the reasons given by the contractors for failure to complete the project within the specified time limit are substantially correct, but it appears now that the project will not be completed until June 29, 1937, which is four days more than the extension requested. He recommended approval of the extension to June 29, 1937, without penalty, provided the Bureau of Public Roads, which has already given its consent to an extension of 25 days without penalty, will approve the granting of the additional four days on the same basis; and provided, further, that the surety on the bond furnished by the contractor in connection with this job will also approve the additional four days' extension without prejudice to the bond. The Commission approved the Engineer's recommendation by unanimous vote.

The Engineer reported that contracts Numbers 1807, 1919, 1941, 1951, and 1952, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance.

The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1807, with Arthur A. Hardesty, for furnishing crushed rock for the Elgin-Rock Creek Section of the Wallowa Lake Highway, in Union and Wallowa Counties. Completed May 29, 1937.

Contract No. 1919, with Fred H. Slate, for grading the Quartz Creek Section of the Wolf Creek Highway, in Clatsop County. Completed June 18, 1937.

Contract No. 1941, with Babler Bros., for resurfacing and oiling the Empire-Marshfield Section of the Empire-Marshfield Secondary Highway, in Coos County. Completed June 12, 1937.

Contract No. 1951, with Andersen Construction Company, for grading the North Roseburg Section of the Pacific Highway, in Douglas County. Completed July 3, 1937.

Contract No. 1952, with Mountain States Construction Company, for construction of the Deer Creek Bridge and retaining wall (Bridge Nos. 2279 and 2280) on the Pacific Highway, in Douglas County. Completed June 30, 1937.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission had under consideration the setting of a date for its next regular meeting for receiving bids for highway construction projects and decided to hold such meeting on Thursday, August 12, 1937. The Secretary was instructed to make the usual arrangements to hold this meeting in the Auditorium of the Public Service Building, Portland, starting at 9:00 o'clock a. m.

The Commission also set Thursday, July 29, 1937, as the date for a special meeting to dispose of accumulated routine matters, said meeting to be held in the Benson Hotel, Portland.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Morrison Trucking Company, Inc., Portland, disposing of its claim for damages arising out of the construction of the East Portland-Oregon City Highway in front of its property, described as Lot 7, Block 45, Stephens Addition to East Portland, Multnomah County.

Agreement with K. N. Lucas and wife extending the period of their lease of certain state-owned property located adjacent to the Siuslaw Highway, in Lane County, five years, from March 30, 1938, to March 30, 1943, at the rate of \$25 per year.

Agreement with Arnold Irrigation District covering the furnishing of water for use in connection with the construction of the Horse Ridge-Brothers Section of the Central Oregon Highway, in Deschutes County.

Deed conveying unto the O.W.R. & N. Company certain property located in Lot 14, Block 37, and in Blocks 33 and 34, Riverside Addition to the City of La Grande, lying outside of the standard width right of way, pursuant to an agreement dated July 31, 1935.

Deed conveying to the City of Pendleton, pursuant to an agreement dated May 1, 1936, between the State of Oregon, the City of Pendleton and the O.W.R. & N. Company, a parcel of land lying in the S.E.  $\frac{1}{4}$  of the N.W.  $\frac{1}{4}$  of Section 10, T. 2 N., R. 32 E., W. M., Umatilla County, Oregon, and lying outside of the standard width right of way.

Deed conveying unto the Farmers Cooperative of Yamhill County, Oregon, 2.06 acres of land lying in the Malone D.L.C. No. 49 and situated in the S.W.  $\frac{1}{4}$  of Section 10, and in the N.W.  $\frac{1}{4}$  of Section 15, T. 4 S., R. 4 W., W. M., Yamhill County, Oregon, pursuant to options secured from the Farmers Cooperative and approved by the Commission on May 17, 1937.

There being no further business to come before the Commission at this time, the meeting was declared adjourned at 6:00 o'clock p. m.

*[Signature]*  
State Highway Engineer

*[Signature]*  
Secretary

*[Signature]*  
Chairman

*[Signature]*  
Commissioner

*[Signature]*  
Commissioner